THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman

HAROLD BURSON
JOHN S. CHASE
SONDRA G. MYERS
WALTER A. NETSCH
ALAN R. NOVAK
EDWARD D. STONE, JR.

CHARLES H. ATHERTON, Secretary

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006
202-566-1066

MEETING OF THE COMMISSION OF FINE ARTS

September 16, 1981

AM
10:00 CONVENE, 708 Jackson Place, N.W., Washington, D.C.

I. ADMINISTRATION

A. Dates of next meetings: October 13, 1981 (Tuesday)
November 10, 1981 (Tuesday)

B. Approval of July 7, 1981 minutes of the Commission of Fine Arts

C. Introduction of Senate Resolution S. 1596 permitting the Commission of Fine Arts to accept private funds.

D. Report on the order by the Mayor's Agent regarding Georgetown Waterfront development. (HPA. 81-244)

AM
10:15

II. SUBMISSIONS AND REVIEWS

A. Smithsonian Institution

1. CFA 16/SEP/81 - 1, South Quadrangle Development, Smithsonian Castle; revised designs.

2. CFA 16/SEP/81 - 2, National Zoological Park, revised designs for Monkey Island exhibit.

B. Executive Office of the President, Office of Management and Budget

1. CFA 16/SEP/81 - 3, Franklin Delano Roosevelt Memorial, report requested on H.J. Resolution 196 authorizing construction of the memorial.

C. National Park Service, National Capital Region

1. CFA 16/SEP/81 - 4, Washington Monument Grounds; review of conceptual designs for grounds.

II. SUBMISSIONS AND REVIEWS CONTINUED

C. National Park Service, National Capital Region

2. 16/SEP/81-5, The White House; proposed site and design of visitor security check point facility (B-12).

D. Department of the Navy, Chesapeake Division

1. CFA 16/SEP/81-6, Renovation of Building 200 at the Washington Navy Yard.

2. CFA 16/SEP/81-7, Proposed filling station for Bolling Air Force Base community center.

E. District of Columbia, Department of Housing and Community Development

1. Old Georgetown Act

a. O.G. 81-149, 3222 M Street, N. W., Georgetown Park Associates; erect tenant display case adjacent to Chesapeke and Ohio Canal.

b. O.G. 81-157, 37th and O Streets, N. W., Georgetown University; preliminary designs for construction of townhouse student residences.

c. O.G. 81-158, 3622,-24,-26 Prospect Street, N. W., preliminary plans for remodeling existing houses.

d. O.G. 81-137, 1732 Wisconsin Avenue, N. W., proposed razing of existing retail building and preliminary design for four-story replacement.

e. O.G. 81-134, 3294 M Street, N. W., greenhouse, landscape center.

f. Appendix I

2. Shipstead-Luce Act

a. S.L. 81-78, 330 Pennsylvania Avenue, S. E., Naval Lodge No.4; replace 81 double-hung wood frame windows window with aluminum units.

b. S.L. 81-83, 1331 Pennsylvania Avenue, N. W., material samples and arcade design for Quadrangle/Marriott.

c. S.L. 81-85, 4155 Linnean Avenue, N. W., Hillwood Museum Visitors Center.

d. S.L. 81-86, 1321 E Street, N. W., National Theater; temporary Evita sign.

e. Appendix II

II. SUBMISSIONS AND REVIEWS CONTINUED

F. District of Columbia, Public Space Committee

1. CFA 16/SEP/81 - 8, Installation of Federal Express overnight collection receptacles, location and box design.

III. SITE INSPECTION

A. White House checkpoint facility, East Executive Avenue

B. Washington Monument Grounds – Holocaust Museum Site

C. S.L. 81-83, 1331 Pennsylvania Avenue, N.W., material samples

D. Freer Gallery, inspection of proposed acquisitions

REPORT OF ACTIONS TAKEN UNDER THE OLD GEORGETOWN ACT

September 16, 1981

	ADDRESS AND OWNER	PROJECT
G. 81-125 A. 81-370	1673 Wisconsin Avenue, N. W. E. Fulton Brylawski	Placing a business sign made of wood, flat against the building wall.

TION: Restudy of properly sized projecting sign is requested. Mounting of the isting sign which overlaps architectural details is not recommended.

G. 81-128(B) A. 81-418	1065 Wisconsin Avenue, N. W. Houstons' Restaurant Inc.	Repair and alterations to building.

TION: Issue permit for facade alterations as shown in modified drawings which show all window sill lines of the first floor at a constant height.

G. 81-129(A) A. 81-384	1732 Wisconsin Avenue, N. W. Edward Downey	Raze and construct new retail, office, residential building.

TION: Do not issue permit. Razing deferred pending additional study of building's story and proposed replacement scheme. Though it is premature to comment on any ecific replacement scheme without full approval for razing, the Commission considered e proposed design at its July 7, 1981 meeting and recommended maintaining the cornice ne along Wisconsin Avenue and continuing the existing punched opening pattern on the cond floor. Sloping roofs as close to the Avenue as shown in the proposed design uld not be harmonious with the existing block or compatible with this portion of the storic district.

G. 81-129(B) A. 81-420	3222 M Street, N. W. Garfinckel's	New sign

TION: Issue permit for one exterior sign facing M Street with opaque back lighted letters.

G. 81-130 A. 81-424	1640 Wisconsin Avenue, N. W. Parkmount School	Renovations alterations to existing window to create doorway entrance.

TION: Withdrawn from consideration.

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dicates previous Commission of Fine Arts review

APPENDIX I

REPORT OF ACTIONS TAKEN UNDER THE OLD GEORGETOWN ACT

September 16, 1981

	ADDRESS AND OWNER	PROJECT
. 81-131(B) . 81-430	2706 Dumbarton Street, N. W. Howard O'Leary	Replace double hung windows on second floor rear. Replace door and window on first floor rear with "French Doors".

'ION: Issue permit for new windows and door on rear of house.

. 81-132(A) . 81-386	1601 Wisconsin Avenue, N. W. Gulf Oil Company	Install new signs, remove existing signs, new sign square foot area "81". Signs read GULF and Diesel price sign.

'ION: Issue permit for signs on the building and on the service islands. Do not ;ue permit for signs to be attached to the large "Gulf" pole on the corner of Wisconsin enue, and Q Street.

. 81-132(B) . 81-433	2909 Olive Street, N. W. Robert C. Taylor	Replace 4 sets of wood sashes with new 1 over 1 wood sashes.

TION: Issue permit for replacement of wood sash with exact size and kind of one-over-e light sash. Masonry openings are not to be changed or partially infilled. The ofiles of the stiles and mullions of the new sash shall match those of the old sash.

G. 81-133(A) A. 81-388	3000 M Street, N. W. Marbury Associates	Erect an awning

TION: Do not issue permit. The Commission believes the proposed canopy would be compatible on the existing building since its appearance would be awkward due to the latively low height of the arcade and the need to mount the awning a minimum of eight et above the sidewalk, several feet above the top of the arch. If identification of staurant entrance is desired, recommend a suitably designed double-faced sign be nsidered for a location projecting from the wall above the arch.

G. 81-133(B) 'A. 81-435	3127 O Street, N. W. Catherine Lang	Raise top floor roof for shed dormer and install partitions.

'TION: Preliminary designs for new dormer are approved. Final submission should nclude sample of dormer sidewall materials and colors.

APPENDIX I

REPORT OF ACTIONS TAKEN UNDER THE OLD GEORGETOWN ACT

September 16, 1981

	ADDRESS AND OWNER	PROJECT
G. 81-136(A) A. 81-412	3222 M Street, N. W. Georgetown Park Associates	Construction of residential deck.

TION: Issue permit for residential section of Georgetown Park project. Submit terial and color samples for roof and window finishes for approval by the Commission lor to installation.

G. 81-136(B) A. 81-440	3007 P Street, N. W. Mollie Bogounoff	Addition of part 3rd floor rear of front section. 1st Floor addition rear and 1st Floor addition garage.

TION: Preliminary approval of third floor addition and rear addition as shown on vised drawing dated August 21, 1981. Shed addition to garage is not recommended as own. Submit working drawings and material samples prior to permit issuance.

G. 81-137(A) A. 81-416	1312 30th Street, N. W. Huntington Block	Erection of iron fence.

TION: Issue permit for an extension of the existing fence to be entirely within ners property.

G. 81-138(A) A. 81-417	1517 30th Street, N. W. Dodge House Associates	Restore and reconstruct porches. Include all structural framing and architectural trim as per attached plan. Revision to permit B-283572.

TION: A duplicate of the drawings for this submission* were reviewed by the Commission Fine Arts on June 11, 1981, (O.G. 81-122) and were approved with action as follows: sue permit for renovation according to revised plans submitted to the Commission of ne Arts on June 11, 1981. Note corrections on sheets FA-15 and FA-17.

t is noted that current application has Zoning and D. C. Building Regulations approval.

APPENDIX I

REPORT OF ACTIONS TAKEN UNDER THE OLD GEORGETOWN ACT

September 16, 1981

	ADDRESS AND OWNER	PROJECT
G. 81-138(B) A. 81-439	37th & O Street, N. W. Georgetown University	Renovation, construction of new entrance stair and new construction of addition.

TION: Modified preliminary scheme is approved for further development and submission working drawings and material samples. Clear glass in link connecting the new stair wer to Old North and omission of light standards from stair are a part of this proval. See modified drawings.

G. 81-139 A. 81-444	2519 Q Street, N. W. Mr. G. G. Johnson	Remodel front hall and kitchen; rework front facade.

TION: Do not issue permit for facade alterations. Since this is one of several houses ilt at the same time in the same row with the same details, the proposed alterations uld constitute an adverse impact to the building and the district. Though the building neither individually noteworthy or old, it should have its original architectural tegrity retained.

G. 81-140 A. 81-445	1010 Wisconsin Avenue, N. W. 1010 Potomac Properties	Remove paint from outside surface of building by chemicals or sandblasting.

TION: Do not issue permit. For details see transmittal from Charles Atherton to the C. Department of Housing and Community Development.

G. 81-143 A. 81-449	1736 Wisconsin Avenue, N. W. Mosiles Nomikos	Addition to existing building for kitchen.

TION: Issue permit for brick addition to rear of commercial building. Brick shall itch existing as closely as possible.

G. 81-148 A. 81-456	1061 Thomas Jefferson Street, N.W. Elliott Moulton	Rear addition

TION: Preliminary concept for addition within dogleg space is approved subject to atisfactory design solution for rear elevation. Aluminum projecting second floor rear ay is not approved. Recommend use of windows that match those existing on rear of ouse on second floor. Submit final drawings with revised details for approval. Exceptions r variances for this construction are not recommended.

APPENDIX I

REPORT OF ACTIONS TAKEN UNDER THE OLD GEORGETOWN ACT

September 16, 1981

	ADDRESS AND OWNER	PROJECT
. 81-150 . 81-460	1237 Wisconsin Avenue, N. W. Margie Bryce	New sign.

ION: Issue permit for wooden painted sign.

. 81-152 . 81-463	3000 M Street, N. W. Marbury Associates	Erect sign.

ION: Issue permit for one painted wooden sign. Exception for use of projecting sign recommended. Note this action does not apply to any other signs.

. 81-154 . 81-469	1515 33rd Street, N. W. Janet Haskins	Construct sunporch as per exterior elevation and plat.

ION: Issue permit for porch enclosure.

. 81-155 . 81-470	1000 Potomac Street, N.W. Colonial Parking	Furnish and install one double faced interior lighted display 6'x2' on steel pole. Bottom of display is 12'-6" of display.

ION: Issue permit.

G. 81-156 A. 81-461	1640 Wisconsin Avenue, N. W. Parkmount School	Install french doors in existing bay window.

TION: Issue permit for new door in bay. Detailing shall match existing.

G. 81-156 A. 81-482	1683 34th Street, N. W. Mr.& Mrs. Peter Davis	Change existing kitchen door and enclose rear balcony.

TION: Issue permit for replacement door and sidelights within existing masonry opening.

APPENDIX I

REPORT OF ACTIONS TAKEN UNDER THE OLD GEORGETOWN ACT

September 16, 1981

	ADDRESS AND OWNER	PROJECT
G. 81-159 A. 81-484	1614 32nd Street, N. W. Thomas Carroll	Re-work walls of existing building to make additions; remodel kitchen.

TION: Issue permit. No objection due to limited visibility from public space.

G. 81-160 A. 81-485	1630 Wisconsin Avenue, N. W. Samuel Levy	Remove mullions from front window on first floor.

TION: Do not issue permit. Proposed change would have an adverse impact on this ilding which has an architectural harmony throughout all openings at the present time; so would have an adverse impact on the adjacent streetscape of similar subdivided shop ndows.

G. 81-163 A. 81-495	1401 35th Street, N. W. Mr.& Mrs. Nelson	Replace a six foot stockade fence which has been badly damaged by construction. Fence will be replaced with six foot brick fence that will be painted to match the house. Fence will be attached to house and access will be available to the patio through a redwood gate painted black like the shutters.

TION: Issue permit for new brick fence to replace on same line wood picket fence. ick to be painted to match house (off white) with gate to be painted black.

G. 81-135 A. 81-437	3227 Grace Street, N.W. Georgetown Park Associates	Install new sign

TION: Do not issue permit. Request further study of alternate signs in conjunction th Park Service request to remove existing signs facing Grace Street.

APPENDIX II

REPORT OF ACTIONS TAKEN UNDER THE SHIPSTEAD-LUCE ACT

September 16, 1981

	ADDRESS AND OWNER	PROJECT
L. 81-52	601 24th Street, N.W. Landau and Burka	New apartment building

TION: Do not issue permit. Preliminary design reviewed by the Commission of Fine ts on July 7, 1981 with recommendation for restudy compatible with nearby buildings. ere was no objection to siting or massing of the building. Recommend additional bmission of design study of building cap, chimneys, penthouse and eventual submission r approval of final working drawings and erection on site of proposed brick and rtar samples prior to issuance of building permit. The Commission of Fine Arts equests that a flat roof be substituted for metal hip roof which would be incompatible th other nearby buildings.

.L. 81-53	2112 F Street, N.W. Washington Realty Group	New apartment building

CTION: Do not issue permit. Preliminary design is approved subject to submission and pproval of working drawings, a sample brick panel on site, and samples of front facade aterials including the curtain wall.

.L. 81-55 PA. 81-366	655 15th Street, N.W. Metropolitan Square Associates	Construct one 12 story office building

CTION: Issue permit for alterations and additions to Keith-Albee building at 615 15th treet. Working drawings and material samples have been reviewed and approved by the ommission of Fine Arts on July 7, 1981.

.L. 81-56	2613 Klingle Road, N.W. Martin Landau	Construction of new residence.

ACTION: Do not issue permit. Recommend restudy of stilt support structure which is ot in character with parkside residential architecture. Also because open space under- eath house faces north, would not support plant life and would be visible from Porter Street park entrance area, additional screening is recommended. Suggest use of trellis to conceal stilt structural system and underside of house.

S.L. 81-59	1301 E Street, N.W. 1301 Associates	Installation of sign.

ACTION: Issue permit for "First American Bank" sign only.

APPENDIX II

REPORT OF ACTIONS TAKEN UNDER THE SHIPSTEAD-LUCE ACT

September 16, 1981

	ADDRESS AND OWNER	PROJECT
L. 81-63	55 Ivy Street, N.W. Canal and Ivy Associates	New commercial construction

CTION: Issue permit for construction of office building. Commission reviewed final orking drawings and material samples on July 7, 1981 and requests an on site brick mel for approval prior to erection of exterior walls.

.L. 81-64	1301 E Street, N.W. 1301 Associates	Installation of sign.

CTION: Do not issue permit. Request revised design for sign with letters of "Colorfax" ot to exceed 12" in height. Additional letters "photo services" to be adjusted roportionately.

.L. 81-66	1331 Pennsylvania Avenue, N.W. Square 254 Limited Partnership	Review facade and material samples for Pennsylvania Avenue facade of new construction.

CTION: Do not issue permit. Recommend construction of additional sample panel of brick n value range between the two darker samples erected on site and inspected by the Commission of Fine Arts on July 7, 1981. Care should be taken on selection and application f mortar joints so as not to look spotty. Also recommend study model be prepared howing material use and design of Pennsylvania Avenue arcade. Designs of color tile on he Pennsylvania Avenue piers should be re-examined carefully.

.L. 81-66 PA. 81-398	1501 Pennsylvania Avenue, N.W. American Security Bank	Install automatic teller machine within existing granite. Reworking and replacing granite where necessary to accept machine face.

CTION: Issue permit for automatic teller machine installation. Commission reviewed he design on July 7, 1981 and recommended strict care in cutting of existing granite or new opening and matching of new granite infill for solid brass automatic teller achine frame. Mortar joints to match existing.

S.L. 81-69 HPA. 81-409	215 Pennsylvania Avenue, S.E. Alan Manstoff	New window and door, left bay in existing opening/sign (wood) or canvas awning.

ACTION: Issue permit for removal of garage door and replacement with show window and yellow or brown awning harmonizing with adjacent awnings. Renovation of other first floor street front spaces of this building should coordinate with this effort to be harmonious.

REPORT OF ACTIONS TAKEN UNDER THE SHIPSTEAD-LUCE ACT

September 16, 1981

	ADDRESS AND OWNER	PROJECT
L. 81-70	499 South Capitol Street, S.W. Marfair Joint Venture	Installation of sign

TION: Issue permit for sign.

L. 81-71 'A. 81-415	2201 Virginia Avenue, S.W. Riverside Towers Motel	Internally lighted stencil cut marquee

CTION: Issue permit. Capital letters not to exceed 12" in height.

.L. 81-72	2112 F Street, N.W. 2112 F Street Associates	Ten story building

CTION: Issue permit. Approval does not apply to exterior materials which will be eviewed on September 16, 1981.

.L. 81-73	601 24th Street, N.W. Landau and Burka	New building

CTION: Preliminary designs for new apartment are approved. Commission requests ubmission of working drawings and material samples prior to issuance of permit.

.L. 81-74	2025 Park Road, N.W. James Cobb	Replace existing wood porch with reinforced concrete porch. Roof to remain in place.

ACTION: Issue permit for replacing wood floor with a reinforced concrete floor. All other elements, such as the underpinning, columns, balustrades and roof, are to be retained in good condition.

S.L. 81-75 HPA. 81-447	1799 New York Avenue, N.W. American Institute of Architects Foundation	Build an exterior ramp for the handicappe

ACTION: Issue permit for scheme F. The variance required to permit this scheme is recommended, because it would minimize the visual impact of the handicapped ramp on this historic structure.

APPENDIX II

REPORT OF ACTIONS TAKEN UNDER THE SHIPSTEAD-LUCE ACT

September 16, 1981

	ADDRESS AND OWNER	PROJECT
L. 81-76 A. 81-448	441 2nd Street, S.E. Brian R. Furness	Replace front stairs; repair and expand existing garage, with patio on garage roof, rear facade alterations, fireplace

TION: Issue permit. Paint side walls, stoop to match facade of house.

L. 81-77	555 Fourth Street, N.W. Judiciary Square	Install a new temporary sign; 6' x 10'

TION: Issue permit for temporary sign for duration of construction only.

L. 81-79	421 - 431 11th Street, N.W. Cadillac Fairview Corporation	Application to dismantle (by hand) buildings.

TION: No objection to issuance of permit. Is in conformance with approved Pennsylvania venue Development Corporation plans for re-erection.

L. 81-82	600 Maryland Avenue, S.W. First American Bank	Stencil cut copy sign. Copy to be cut into existing aluminum faces with maroon background, white internally lighted.

TION: Issue permit.

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

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MINUTES OF THE COMMISSION OF FINE ARTS

16 September 1981

The meeting was convened at 10:10 a.m. in the Commission of Fine Arts offices at 708 Jackson Place, N. W., Washington, D. C.

Members Present:	Hon. J. Carter Brown, Chairman Hon. John S. Chase Hon. Sondra G. Myers Hon. Walter A. Netsch
Staff Present:	Mr. Charles H. Atherton, Secretary Mr. Donald B. Myer, Assistant Secretary Mr. Jeffrey R. Carson Mrs. Sue Kohler Mr. Richard Ryan
National Capital Planning Commission Staff Present:	Mr. George Evans

I. ADMINISTRATION

A. Dates of next meetings, approved as: 13 October 1981 (Tuesday)
10 November 1981 (Tuesday)

It was suggested that 15 December would be an acceptable date for the last meeting of the year.

B. Minutes of the meeting of 7 July 1981, approved.

C. Introduction of Senate Resolution S.1596 permitting the Commission of Fine Arts to accept private funds. The Secretary reported that this resolution, in line with the Administration's proposal, had been introduced by Senator Mathias. Mr. Netsch asked if such funds would be unassigned; the Secretary replied in the affirmative and said they would be dispensed by the Treasury Department. In response to a question from Mrs. Myers, he said there was no precedent for the acceptance of private funds by a Government commission such as this one.

Exhibit A

D. Report on the order by the Mayor's Agent regarding the Georgetown Waterfront development. The Secretary reported that the Mayor's Agent had ruled that Western Development's proposal was not incompatible with the Historic District. He said he had been told that the decision would be appealed, but had no official notification as yet. The decision was made 11 September; an appeal may be filed any time within fifteen days from that date. He noted that the report would be attached to these minutes as an exhibit.

Exhibit B

II. SUBMISSIONS AND REVIEWS

A. Smithsonian Institution

1. CFA 16/SEP/81-1, South Quadrangle Development, Smithsonian Castle; revised designs. The Assistant Secretary reviewed, through the use of slides, the Commission's approval of the concept for this development in April 1979, its subsequent review of a preliminary design, and its questioning at that time of the appearance of the sunken courtyards which would serve to light the underground facilities, and of the relationship of the service ramp to the west entrance to the Arts and Industries building. He then introduced Dr. Dillon Ripley, director of the Smithsonian. Dr. Ripley discussed the developments since this preliminary review and the changes that had been made to respond to the Commission's recommendations.

Dr. Ripley noted that the Smithsonian had been in the process of developing the Quadrangle garden since 1976. He reviewed the plans to erect the Renwick gates originally planned for the south entrance to the Castle, thus strengthening the vista from the Castle through to Tenth Street; he mentioned also the function of the two new museum buildings as walls, defining the limits of the Smithsonian yard. At present, he noted, the Forrestal Building seems to assume that function. He said that since the Commission had last seen the design, the wisdom of providing underground parking had been questioned, because of the great expense; he said it was probable that a large underground garage, serving all the museums, would eventually be built under the Mall.

Dr. Ripley reported that Mr. Yoshimura, the Japanese architect who had designed the original pavilions, had had a stroke and was unable to continue as architect for the project. He said that Jean-Paul Carlhian, who had made the original presentation and is associated with Shepley, Bulfinch, Richardson and Abbott, had taken over Mr. Yoshimura's position. Landscape architects will be Sasaki Associates with local landscape architect Lester Collins. Dr. Ripley said the idea of designing the pavilions with strong resemblances to Japanese and African structures had been discarded as making the buildings too much at variance with each other. Instead, they have been designed to complement each other and relate to the surrounding buildings by alluding to the past. For example, the African museum pavilion had elements which went back to a common source in middle eastern architecture to that which

had inspired the adjoining Arts and Industries building, which had reminiscences of the tomb of St. Simeon Stylites in Syria. He said a small structure of some sort was necessary in each case to serve as an entrance to the major underground spaces; additionally, these small pavilions had to be sufficiently dignified and elegant to attract donors to the museums. He noted that the sunken light wells had been eliminated and natural light provided by skylights hidden by trees, as well as through ventilating areas along the sidewalk to the south. He said there was also the possibility of admitting light through the pool areas in the gardens, in spite of the fact that there would almost certainly be some water leakage. He pointed out the kiosk type structure near the Freer Gallery which would provide escalator access to the underground offices.

Architect Jean-Paul Carlhian was the next speaker. He noted, first, that this project would contain 350,000 square feet, and that 96.4% of this would be underground. He expressed his theory that the various Smithsonian museums in the area actually read as one building with a central courtyard, and that the placing of the two pavilions at the south would unify the grouping and provide a strong vista from Independence Avenue through the Renwick gates to the Castle. He pointed out on a drawing the new location for the service ramp, on the Freer side, and noted also the kiosk between the Freer and the Castle which would close the gap between the two buildings and provide escalator entrance to the underground areas. The pavilions had been moved closer to the center, thus assuring an uninterrupted view from the Castle of both the Freer and the Arts and Industries buildings. The pavilions would measure sixty by ninety feet, and in height (from the high points of the roofs) would relate to the cornice lines of the Freer and Arts and Industries buildings. When viewed from the Castle, the cornice lines of the pavilions would hide the Forrestal building.

Mr. Carlhian then turned to the design of the pavilions and said he intended them to have a richness of form and detail and to relate to the buildings on the farther side of each; that is, the Oriental pavilion would contain elements borrowed from the Arts and Industries building while the African pavilion would relate to the Freer. He pointed out the richness of the cornice on both buildings, and the contrast of post and lintel construction and pyramidal roofs on the Oriental pavilion with the arches and domes of the African museum. The material for the Oriental pavilion would be pale green granite, the African pale pink. Mr. Carlhian then showed a number of sectional drawings, pointing out the location of the various functions accommodated in the buildings: conference, gallery and classrooms, and Smithsonian Associates offices in the third basement; museum offices above; and service areas in the first basement. He recalled that Mr. Stone (who was not present at this meeting) had questioned whether enough soil could be provided above the underground construction for proper root growth of the garden plants and assured the members that this had been considered and was not a problem.

The members then discussed the design. Mr. Netsch commented that the new pavilion design represented a 180 degree turn from the original presentation. He felt that in their multiplicity and richness they projected an "elitist" image not suitable to the Mall or the cultures represented by the two museums, Oriental art being associated with a kind of modesty and African art with vigor. Mr. Carlhian said he had thought of this also, but wanted a degree of richness and was trying to move away from the "World's Fair" aspect of a "Japanese" and "African" pavilion.

The Chairman commented that he could see a breakthrough coming in this project, but thought the turning away from "World's Fair" architecture was such a good idea that they should look into going all the way. He said perhaps the only safe way to get out of the Oriental-African dilemma was to do two pavilions which would help the cohesion problem by being as much alike as possible, and which would be unrelated to the cultures in the museum displays below, just as the architecture of the Freer is unrelated to its contents. Otherwise, the design of the "African" pavilion could be criticized because it did not relate to the character of the tribal art within. Perhaps, he said, it would be best to keep within the Victorian tradition, whose eclecticism was the dominant motif of the surrounding buildings, and make this an American solution, rather than attempt specific references to other cultures which would always end up leaving someone out. Mr. Netsch agreed, suggesting a focus on the Castle for color and character and a tie-in of two simple buildings with the Renwick gates. The Chairman thought perhaps the arch form could be the element which would relate the new buildings to the Freer, a problem which had concerned Mr. Carlhian.

Mr. Carlhian asked if he had been proceeding in the right direction with his articulation and ornamentation, or whether he should return to flat surfaces. Mr. Netsch said a return to a Miesian style was certainly not being suggested, but there were other ways to articulate a surface other than using a Beaux-Arts column bay, especially as, with a two-bay entrance facade, it caused a problem when an entrance--with revolving doors and ramps--had to be cut into one of the two bays, producing an awkward asymmetry.

The Chairman said the Commission thought that the basic concept, the elimination of the light wells, and the incorporation of the Renwick gates, were all very good; only further study in the direction of simplifying the pavilion design was needed. Because of the need for this further study, the project was not approved. Exhibit C

2. CFA 16/SEP/81-2, National Zoological Park, revised designs for Monkey Island exhibit. Staff member Jeffrey Carson reviewed the first submission of this project on 12 May 1981 and the Commission's objection to the height of the wall and to the character of the rectangular windows in one section. The recommendation had been to lower the wall and substitute all glass for the punched window section.
Dr. Theodore Reed, director of the Zoo, was then introduced to discuss

the changes that had been made. He said the glass area had been increased by fifteen percent and then showed drawings which indicated there had been very little change in the overall design. He said the problem in providing more glass was that of people seeing other people on the opposite side of the exhibit, and also one of providing adequate privacy for the monkeys. Mr. Netsch thought there had been a communications problem between the Commission and Dr. Reed. The idea had been to correct an aesthetic problem by substituting an all glass section for the unattractive rectangular windows. The Chairman said the problem was one of a large, ugly concrete baffle at odds with nature and the work of Olmsted; he saw no reason that it could not be solved and still meet the needs of the animals. The Secretary noted that the back side of the wall would loom as a very large element when approached from the Olmsted Walk.

Dr. Reed said the wall was essential because there was not enough room to put a moat all the way around the exhibit. The Chairman asked if some well-designed bars could not be used. Dr. Reed replied that people are very much against the use of bars as they get in the way of viewing the animals.

The Chairman and Mr. Netsch suggested that possibly the rounding of the corners of the glass openings, or a more fluid, less rectilinear shape might solve the problem. Dr. Reed was asked to bring revised designs to the staff and work out the best solution at this level.

Exhibit D, D-1

B. Executive Office of the President, Office of Management and Budget

1. CFA 16/SEP/81-3, Franklin Delano Roosevelt Memorial, report requested on H. J. Resolution 196 authorizing construction of the memorial. The Secretary noted that the resolution erroneously referred to the project as having been approved in 1978, whereas final approval (of a much scaled-down version) had not been given until September 1979. He said he had verified that it was the 1979 version for which construction was being requested. It was unanimously agreed to give Commission support to the resolution. Exhibit E, E-1, E-2, E-3

C. National Park Service, National Capital Region

1. CFA 16/SEP/81-4, Washington Monument grounds; review of conceptual designs for grounds. The Assistant Secretary said this submission was for new walks leading to the monument along the most heavily travelled routes, replacement of the deteriorating pavement around the base of the monument and upgrading of the seating area. He introduced architect Mike Donnelly from the Park Service who explained the proposals.

Mr. Donnelly said that before developing this plan the Park Service had looked at the plan prepared by Skidmore, Owings & Merrill in the 1960's and had selected some elements from it, although on the whole it was too expensive and too time-consuming for adoption at this

time. He said the main problems to be addressed were the lack of a dignified arrival place for visitors and the lack of convenient paths and crossings to take them from the reflecting pool area, or from across Fourteenth Street, to the monument. He said heavy damage has been done to the grounds by both joggers and tourists, particularly at the western approach. On the east the problem had been people crossing Fourteenth Street in the middle of the block. Ultimately, the plans would also include straightening out the curve of Fifteenth Street in front of the monument and providing space there for tour-mobiles and a relocated lodge, placing an outer elliptical path around the grounds for joggers and other walkers, and constructing a modified terrace at the Fourteenth Street entrance. The boundary of the grounds would be strengthened by a high, open canopy of trees.

Mr. Donnelly then discussed the proposals for the plaza and entry area which are at present unattractive, in poor condition and extremely hot in summer. The circular area would be retained, but repaved along the outer edge with groundcover used immediately around the monument. Seating would be grouped in two bays, north and south, and sheltered by a canopy of trees. There would be a slight lowering of the grade in the seating area. Near the entrance would be banks of seats accom-modating sixty people waiting for the elevator. Mr. Donnelly said this was a modest plan and would probably cost four to five million dollars.

As an interim measure, the Park Service would like to construct the paths in a temporary material (macadam) and install the bollards and traffic lights at Fourteenth Street. This would be done in three phases:

1. Two parallel paths, which would continue the line of the walks on either side of the reflecting pool, from Seventeenth Street up to the monument.

2. Bollards on the east side of Fourteenth Street to prevent mid-block crossing, and a new traffic light at Madison Drive and Fifteenth Street to encourage crossing at this location.

3. Oblique paths leading to the monument from the east, at Madison Drive to the north and in the vicinity of the Sylvan Theatre to the south.

If the paths proved successful, they would be constructed in a permanent material, the nature of which has not yet been decided. The members unanimously approved the concept of the first three phases, but said that more details would have to be seen before actual work was begun. (See III-B, SITE INSPECTION) Exhibit F

2. CFA/16/SEP/81-5, The White House; proposed site and design of visitor security check point facility (B-12). The Secretary said this submission was for a new building on East Executive Avenue to house

security check procedures, now performed inside the east wing automobile entrance. He introduced Ronald Dixon from the Park Service staff. Mr. Dixon said that since the assassination attempt on President Reagan such security measures have become of vital importance and have been set up temporarily inside the portico. Now, however, they would like to return this area to its original use as a tour and guest entrance and build a separate building for the security equipment. The Secret Service has said that four "arches" and two X-ray machines would be needed to accommodate the large number of people entering; this would require a 24 by 34 foot room. Mr. Dixon said the building could be "nestled" in the hillside, but not hidden, because of the elevations, allowable ramps, etc. He said the building would conform to the classical style of the White House and its wings, with motifs selected from those on the existing buildings. He showed a number of drawings of possible wall and window treatments.

While the members were all agreed that proper security procedures were needed, they did not feel that a separate building was desirable, on either aesthetic, economic or functional grounds. They thought that by incorporating the security check into the existing architecture, the integrity of the White House would be preserved and a sense of "arrival" and "entrance" maintained--something which would be lost by the "in and out" feeling of having to enter through two buildings. If additional space were an absolute necessity, perhaps the porte-cochere could be extended on each side as a compromise solution that would still integrate the facility into the existing structure. It was suggested that further study be done along these lines, and the project, as presented, was unanimously disapproved. (See III-C, SITE INSPECTIONS) Exhibit G

D. Department of the Navy, Chesapeake Division

1. CFA 16/SEP/81-6, Renovation of Building 200 at the Washington Navy Yard. Staff member Richard Ryan said the purpose of this renovation was to improve circulation, entrance and exit facilities in this 1940's building. He introduced Richard Scalessa from the Navy who showed drawings of the stair additions. There were no objections to these additions, but Mr. Netsch observed that instead of trying to match the existing brick, which would probably not be possible, a better solution would be to chose a contrasting color. The project was unanimously approved. Exhibit H

2. CFA 16/SEP/81-7, Proposed filling station for Bolling Air Force Base community center. Mr. Ryan again introduced Mr. Scalessa to point out the change in location of the filling station, from within the parking facility to a site nearby. He said reduction in the size of an adjacent new commissary building had made it possible to put the station outside. He said it would be heavily landscaped to screen it from view. The project was unanimously approved. Exhibit H

E. District of Columbia, Department of Housing and Community Development.

1. Old Georgetown Act

a. O.G. 81-149, 3222 M Street, N. W., Georgetown Park Associates. Erect tenant display case adjacent to Chesapeake and Ohio Canal. Mr. Ryan said this display case for Conran's was to be located just north of the Canal, west of Wisconsin Avenue and east of the footbridge leading to the Conran store. He introduced Scott Stinson from Lockman Associates, architects; and Phillip Ross from Western Development. Mr. Stinson showed drawings of a "greenhouse" type of display case,(9 by 17 by 11 feet high) noting that the construction of such a display case had been part of the lease agreement between Conran's and Western Development, its purpose being to draw people from Wisconsin Avenue to Conran's. He said the materials would match those used at Georgetown Park.

Mr. Netsch said this was really a sign, and added that he was becoming concerned because of the constant piecemeal submissions on this project. Georgetown Board member Hugh Miller was present and was asked to report on the Board's reaction. He said the Board shared Mr. Netsch's concern and was also unhappy with the proposal to place still another structure in the open space of the plaza. He said the Board had not been told about this lease requirement and had recommended against the display case on principle, not on design.

The Chairman said it would be possible to make an argument for liveliness, but the effect could be obtained by using a poster type of display case, something which could be walked around, as in front of the Metropolitan Museum in New York or in certain European cities.

John Parsons, from the National Park Service, was present and said that although the Park Service had an agreement with Western Development on the development of the plaza, they had not been shown this and would consider it--or even a poster type case--a violation of public space and would recommend that the Commission disapprove it.

Mr. Stinson thought the "greenhouse" would make the plaza a more exciting place, but Mr. Netsch thought it would be just another step in the commercialization of Georgetown, a process he thought had already gone too far. When the Chairman asked for the other members' views, Mrs. Myers said she agreed it should be disapproved, though something more modest might be acceptable; but Mr. Chase voted for approval. The project was, therefore, disapproved in a 3-1 split vote.

Mr. Ross then asked to discuss the window grilles, which had already been fabricated and installed against the Commission's recommendations. He said he had thought at the meeting (10 March 1981) that they were approved and had not read the official action or letter which clearly stated they were not. He offered to remove them and the Commission accepted his offer.

b. O.G. 81-157, 37th and O Street, N. W. Georgetown University; preliminary designs for construction of townhouse student residences. The Assistant Secretary pointed out the location of this proposed housing, on vacant land at the edge of the university campus. He said the houses would be grouped around a courtyard. He introduced architect Hugh Jacobsen to discuss his design. Mr. Jacobsen said the master plan called for housing 360 students. He showed a previous scheme by another architect, and then his concept of placing a row of fourteen typical Italianate Georgetown houses around a courtyard, the courtyard serving as a place for outdoor student activities and shielding the neighboring houses from this kind of noise. Mr. Jacobsen said there would be three special units containing interior stairs. These units would be characterized on the exterior by rather elaborate bays and entrances. The material for the houses would be brick, painted burgundy and dark green. The height would be thirty feet ten inches.

Mr. Netsch asked why such monumental entrances were used to gain entrance to a simple interior stair. Mr. Jacobsen said he had seen this in Richard Norman Shaw's work and thought they added a little variety and interest.

Mr. Miller reported that the Georgetown Board had the same feeling about the large bays. He said the Board liked the rest of the design, but not the burgundy and dark green color scheme.

Thomas Parrott, representing the Citizens Association of Georgetown, said the citizens have traditionally fought against the extension of the university's boundaries, but were pleased with the design of these houses, with the exception of the bays.

The design was given preliminary approval, with details and color scheme to be seen later.

c. O.G. 81-158, 3622,-24,-26 Prospect Street, N. W., preliminary plans for remodeling houses. Mr. Ryan located these houses on the south side of Prospect Street, east of Thirty-seventh, and said the remodeling would be primarily on the rear, or south side, facing the Potomac River. He said that when the project was first submitted to the Georgetown Board it had included two houses, but now a third has been added. He noted that the height in the rear, above the present roof, had been lowered as recommended by the Georgetown Board. Thomas Kerns, from the firm of Swaney and Kerns, was introduced to discuss his design. He described the three brick houses, built in 1940, and said that one of his client's requirements was that each would have a garage and an elevator. Two of the houses already have garages; a third would be provided, and a one story five foot extension along the front of one house would be carried across all three for garage entrance use. Other minor changes would be made to the front facades also. The sites slope steeply to the rear and it would be on these facades that the major changes would be made. Drawings and a model showed a stepped facade in a "post-modern" style, five feet being added to the first house, fifteen to the second, and twenty to the third. The view of these facades would

be primarily from the river, and Mr. Kerns said he had overscaled the numerous arch and trellis notifs, feeling this was appropriate to the style and not inappropriate to Georgetown because of the great distance at which they would be seen. He added that he thought the light and shade created by the stepped facade and deep recesses of the arches helped the houses blend in with the landscape better than they do now, since they are all flush and painted white.

Mr. Netsch said that while he had no objection to building in the post-modern style, he wondered how this design could be considered compatible with Georgetown. He told the architect that this was what the Commission had to consider, and he was concerned about the precedent that could be set. Mr Miller said the Georgetown Board had had a long discussion about this and had decided that, given the long distance from which it would be seen, it was a reasonable solution to a specific problem. He said they had been concerned about the height of some of the elements (since reduced) and also about setting a precedent with the garage extensions in front.

The Chairman said he liked the whimsy and originality, but was concerned by the fact that it would be built in a strategic location, very visible from Key Bridge, one of the major entrances into Georgetown. He noted that the many motifs, from Georgian to Art Deco, were being used in a highly three-dimensional way, resulting in a dynamic, baroque feeling which was out of keeping with the quiet, two-dimensional facades typical of residential Georgetown. The other members agreed and the project was unanimously disapproved on the basis of its incompatibility with Georgetown.

d. O.G. 81-137, 1732 Wisconsin Avenue, N. W., proposed razing of existing retail building and preliminary design for four story replacement. Mr. Ryan reviewed the Commission's previous recommendation that a more conventional punched window be used for the main building, similar to the rest of the row, and that the two story residential unit above be set back further. He introduced the architect, Luther Blair, who showed drawings depicting a building nineteen feet wide, similar in style to the existing one (to be razed) with a ten foot section to the south which was slightly higher and treated in a more contemporary manner. The two-story residential unit above was set back fourteen feet. Mr. Blair explained that the basement and first floor would be retail space with offices on the second floor. The members thought the revised design more responsive to the surrounding buildings and it was unanimously approved.

e. O.G. 81-134, 3294 M Street, N. W., Greenhouse, landscape center. The Assistant Secretary reported that the Georgetown Board had seen this design by Sasaki Associates and had some difficulties with the use of metal fencing, a problem which had now been resolved. Mr. Miller reported that it had been the contrast of the metal fence with the wooden lattice and some problems in scale that had concerned them. Behind the metal fence would be a display of plants, a sort of outdoor showcase, which would be maintained in an attractive manner during the winter months.

Mr. Miller said the Board was now satisfied with the design; the Commission members were in agreement and approved it unanimously.

f. Appendix 1, approved.

2. Shipstead-Luce Act

a. S.L. 81-78, 330 Pennsylvania Avenue, S. E., Naval Lodge No. 4, replace 81 double-hung wood frame windows with aluminum units. Mr. Carson described this building as being architectually significant and pointed out its location in the Capitol Hill Historic District. It was built in 1893 for the Naval Lodge; the architect was lodge member William Palmer. Mr. Carson said the lodge was requesting permission to replace all the original wood sash with aluminum. Bronze had been chosen as the color, although the lodge would be willing to use whatever color the Commission might suggest. Mr. Carson indicated there might be some question as to whether the windows should be replaced at all, given the significance of the building. It was suggested that the lodge bring a sample of the actual proposal, a drawing of the installation and a photograph of the existing condition to the staff; the staff was instructed to investigate the condition of the existing windows and work with the lodge on possible repair or suitable replacement.

b. S.L. 81-83, 1331 Pennsylvania Avenue, N. W., material samples and arcade design for Quadrangle/Marriott. Mr. Ryan reviewed the original submission in July 1980 and submission of material samples in January and July 1981. He recalled that at the July 1981 meeting the members had asked for a model of a section of the arcade which would further explain the decorative treatment, and for another brick sample, halfway in color between the two darker samples seen on the site at that time.

Allan Greenberger from the firm of Mitchell/Giurgola, architects, said a new sample panel had been erected on the site for the members to see. He said they had had difficulty in achieving the right color. He then showed the arcade model and discussed the placement of the white granite inside, green granite outside, and the limestone strip above. A narrow vertical line of limestone extended about halfway down each column, ending in a red tile "dot", much as it had been shown previously. The members were still concerned about this, considering it weak and ineffectual. It was suggested that it still needed study, and perhaps a blue, rather than red tile would make it look less like a thermometer. Mr. Greenberger said he would return with further studies of this decorative element. (See III-A, SITE INSPECTIONS)

c. S.L. 81-85, 4155 Linnean Avenue, N. W., Hillwood Museum Visit Center and Indian artifacts building. The Assistant Secretary said this submission was for two new structures that will be visible from the estate although only marginally visible from Rock Creek Park.

Mr. Roy Bettely, director of the Hillwood Museum, explained the need for a building to house Mrs. Post's Indian collection, now stored at the Smithsonian, and another to provide a tearoom and rest facilities for the visitors, who are there for a long and rather tiring three to four hour tour.

Architects O'Neil and Manion discussed their designs through the use of a model and drawings. The tearoom facility was designed to be harmonious in style with the other buildings on the estate, and the Indian museum was reminiscent of Mrs. Post's Adirondack estate, where the collection was originally housed. There were no objections and the project was unanimously approved.

d. S.L. 81-86, 1321 E Street, N. W., National Theatre; temporary sign for "Evita". There were no objections to this as a temporary installation, providing it was stressed that this kind of sign should not be encouraged.

e. Appendix 2, approved.

F. District of Columbia, Public Space Committee

1. CFA 16/SEP/81-8, Installation of Federal Express overnight collection receptacles, location and box design. The Secretary said the Commission had been asked to look at this design for a receptacle to be placed outdoors in various downtown locations. A representative from Federal Express explained that only small items would be placed in these boxes; she showed a photograph of the design. It was thought, however, that regardless of size or design, the placing of the boxes would set a precedent, and the same privilege would have to be granted to others. In the interest of keeping the public space uncluttered, therefore, the project was unanimously disapproved. Exhibit I

The meeting was adjourned at 3:25 p.m., after which the members left to make several site inspections.

III. SITE INSPECTIONS

A. S.L. 81-83, 1331 Pennsylvania Avenue, N. W., material samples. The members looked at a new brick panel erected on the site and concluded that the color was still not right, that the background color was now too warm. They asked Mr. Greenberger to continue working with the brick supplier to achieve a more satisfactory result. (The Chairman left the group at this point)

B. Washington Monument Grounds. Mr. Netsch, Mrs. Myers and Mr. Chase stopped briefly at the Fifteenth Street entrance to the grounds where the tourmobiles stop. It was generally agreed that there would be no objection to the new paths proposed in the first three phases of work, but that other elements of the plan would have to be studied at greater length before coming to any final conclusions.

After leaving the Monument Grounds, the members stopped briefly at the Fifteenth Street side of the annexes south of the old Auditors Building. The buildings have been suggested as a possible site for the memorial to the victims of the Holocaust recently authorized by Congress. No formal action was taken; however, the members felt the proposal was a reasonable one.

C. White House checkpoint facility, East Executive Avenue. The members looked at the East Wing portico, Gate B-12, and the proposed site for the new facility. They felt that if some way could be found to incorporate the facility in the White House it should be done. The second choice would be to study modifying the existing portico, although it was recognized that this would not be an easy solution. No one was in favor of a separate building next to the gate.

D. Freer Gallery, inspection of proposed acquisitions. The members inspected the objects and unanimously approved them. The Chairman inspected them later and formally confirmed approval.

Exhibit J

Signed,

Charles H. Atherton

Charles H. Atherton
Secretary

97TH CONGRESS
1ST SESSION

S. 1596

To amend the Act relating to the Commission of Fine Arts to provide for private donations.

IN THE SENATE OF THE UNITED STATES

AUGUST 3 (legislative day, JULY 8), 1981

Mr. MATHIAS (by request) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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A BILL

To amend the Act relating to the Commission of Fine Arts to provide for private donations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (36 Stat. 371; 40 U.S.C. 105), is amended by adding at the end thereof the following new section:

"SEC. 3. (a) The Commission may accept money donated or bequeathed to the Commission unconditionally or on the sole condition that it be used for the purposes specified in

the first section. All sums received under this section shall be deposited in a separate fund on the books of the Treasury. All sums in the fund shall be available without limitation for the purposes specified in the first section. At the request of the Commission, the Secretary of the Treasury may invest and reinvest excess moneys in the fund. Such investments shall be in public debt securities with maturities suitable for the needs of the fund and shall bear interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of comparable maturities. The interest on such investments shall be credited to, and form a part of, the fund.

"(b) For the purpose of the Internal Revenue Code of 1954, any gift or bequest accepted by the Commission under the authority of this section shall be deemed to be a gift or devise to or for the use of the United States.".

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS
OFFICE OF THE DIRECTOR

ORDER

fore the Mayor's Agent for D.C. Law 2-144, the Historic Landmark
d Historic District Protection Act of 1978.

'A No. 81-244, Application for a new construction permit for a
xed use development project at 3020 K Street, N.W., Lot 102
ombined lots 101, 800, 808, 811 and 812), Square 1173.

aring Dates: June 29 and 30, 1981 and July 1, 2, 7 and 8, 1981.

ndings of Fact

Applicant, Georgetown Harbor Associates, has applied for a permit under Section 8 of the Historic Landmark and Historic District Protection Act of 1978, D.C. Law 2-144 (hereinafter "the Act"), to allow for new construction of a mixed use development project at 3020 K Street, N.W., Lot 102 (combined lots 101, 800, 808, 811 and 812) in Square 1173.

The site of the proposed development is presently occupied by a concrete batching plant. The Applicant proposes to remove this plant and replace it entirely with new construction. Georgetown Harbor Associates is contract owner of all property making up Lot 102 under contract with Mount Clare Properties (D.C.) Inc., and Georgetown Potomac Company (formerly Georgetown Inland Corporation) under which Georgetown Harbor Associates as contract owner is fully authorized to take all steps necessary for obtaining the building permits for the subject site. (Exhibit Nos. 8 and 10)

The subject square is in the Old Georgetown Historic District, as designated in Section 1 of the Old Georgetown Act (Public Law 808 - 81st Congress - H.R. 7670 D.C. Code 5-801, 64 Stat 903). The Old Georgetown Historic District was designated as a Category II Landmark on the District of Columbia's Inventory of Historic Sites, and has been listed in the National Register of Historic Places. The Old Georgetown Historic District as defined in Section 1 of the Old Georgetown Act has as its boundaries: (1) the Potomac River on the south; (2) Rock Creek on the east; (3) Dumbarton Oaks Park, Whitehaven Street, Whitehaven Parkway to 35th Street and Reservoir Road from 35th Street to Archbold Parkway on the north; and, (4) Archbold Parkway from Reservoir Road to the Potomac River on the west.

On March 31, 1981, in accord with Section 8(b) of D.C. Law 2-144, the permit application was referred to the Mayor's Agent for D.C. Law 2-144.

In accord with Section 8(b) of D.C. Law 2-144 and the Old Georgetown Act (Public Law 808 - 81st Congress - H.R. 7670 D.C. Code 5-801, 64 Stat 903), the application was referred to the Commission of Fine Arts (hereinafter "CFA"). The CFA recommended denial of a building permit for Georgetown Harbor Associates' development on the waterfront at 3020 K Street, N.W. at its meeting on March 10, 1981 (O.G. 8172). Because of a zoning review technicality and because the developers wished to present their project in greater detail the Commission agreed to reconsider their project at its meeting on April 7, 1981. Following extensive testimony and argument at that meeting, the members of the CFA found no reason to rescind their previous action. The Commission stated its belief that this land should be developed as a recreational space compatible with the open park setting of other lands adjoining the Potomac River. In the Commission's view, commercial development should be held to a minimum, and ideally would be limited to those uses that would reinforce this space's basic recreational character, such as a restaurant, boat house or other functions.

During their proceedings CFA requested that there be concrete and binding evidence that D.C. lands adjoining the site on the west would be transferred to the National Park Service. The District Government's response indicated a commitment to achieve creation of the proposed public park at the earliest opportunity but no concrete action affecting the transfer had occurred. There was no pledge to receive or maintain the land as a park by the National Park Service nor had the developer provided written commitment of a perpetual easement for a public right-of-way along the water. Therefore, the CFA stated "until such steps are actually taken or at least firmly committed for action, upon or immediately subsequent to the grant of any permit for construction, the Commission could have no assurance that the developer's plan, which includes the development of parkland, would ever be realized." (Exhibit Nos. 2, 26, 38 and 94)

On May 27, 1981 by letter to Robert L. Moore, Director, Department of Housing and Community Development, Georgetown Harbor Associates requested that a hearing be scheduled pursuant to Rule 2.5(d)(6) of the Rules of Procedure (hereinafter "the Rules"). (Exhibit No. 3)

Pursuant to Section 2.5(d)(8) of the Rules, a Notice of Public Hearing to consider HPA No. 81-244 dated March 28, 1981 was issued. (Exhibit Nos. 4 and 5)

Materials required by Section 3.3 of the Rules were filed by the Applicant on June 9, 1981. (Exhibit No. 9)

By letter dated June 11, 1981 the Committee for Washington's Riverfront Parks, ANC 3A, the Citizens Association of Georgetown, et al filed as Parties in Opposition in this case. These parties stated that they would appear through counsel, Arnold and Porter. By letter dated June 22, 1981 the following organizations also filed as Parties in Opposition to be represented by counsel, Arnold and Porter: the Palisades Citizens Association; the Citizens Planning Coalition of the District of Columbia, Inc.; the Federation of Civic Associations; ANC 2A; the Committee of 100 on the Federal City; and the Wisconsin Avenue Corridor Committee. The Parties in Opposition stated that they would be affected by the decision in this matter because they represent citizens throughout the Washington area who are dedicated to the preservation of parkland along the Washington riverfront and they support the use of this land for recreational and other purposes compatible with the character of the historic district. Further, in a letter dated June 25, 1981 counsel for the Parties in Opposition indicated that ANC 2A would not be a party in the proceeding. (Exhibit Nos. 11, 12, 13, 14 and 16)

0. On Monday, June 29, 1981; Tuesday, June 30, 1981; Wednesday, July 1, 1981; Thursday, July 2, 1981; Tuesday, July 7, 1981 and Wednesday, July 8, 1981 the Mayor's Agent conducted a public hearing on the application. During the course of the hearing fifty-three witnesses were heard and seventy-four exhibits admitted into the record. The record was left open until close of business July 17, 1981 for public comments; until close of business July 22, 1981 for specific items requested by the hearing officer; until close of business August 12, 1981 for the Applicant and the Parties in Opposition to file proposed findings of fact and conclusions of law and until close of business August 19, 1981 for comments on the proposed findings of fact and conclusions of law to be filed. Twenty-five additional exhibits were entered during this time.

1. The first order of business at the hearing was consideration of procedural matters. Below are the matters raised and the relevant rulings made by the hearing officer.

(1) The Parties in Opposition moved to disqualify the law firm of Wilkes and Artis from any further participation in the hearing, on the grounds of conflict of interest. The Parties in Opposition argued that Louis P. Robbins, a partner in Wilkes and Artis, had substantial responsibility for the matter at issue while he was serving

as Principal Deputy Corporation Counsel from 1973 - 1978 and Acting Corporation Counsel from 1978 - 1979. The Parties in Opposition also argued that participation by the firm of Wilkes and Artis in this proceeding is barred by the conflict of interest provisions of the American Bar Association's Code of Professional Responsibility, by the recent decision of the District of Columbia's Court of Appeals in Brown v. District of Columbia Board of Zoning Adjustment, 413 A.2d 1276 (D.C.C.A. 1980), and by the Ethics-in-Government Act, 18 U.S.C. § 207 (1978).

The conflict of interest issue was also raised in regards to the role of at least two other former government officials who appeared at this proceeding as agents for the Applicant. The Parties in Opposition alleged that Ben Gilbert was the Director of the Office of Planning for the District of Columbia during the time this project was being considered. The Parties in Opposition also maintained that Robert Mendelson served as Special Assistant to the Secretary of Interior and was a part of the Intergovernmental Task Force on the Georgetown Waterfront that participated in this application and in this project.

After examination at the hearing of their roles in this matter through cross-examination, the following ruling was made by the hearing officer. Mr. Robbin's testimony indicated that he, as Acting Corporation Counsel, was involved only in general zoning matters and other issues separate and distinct from the issue in the present case. It appeared that Mr. Robbins had no knowledge of or involvement in the Applicant's application for a new construction permit and had not played a substantial role in this proceeding during his tenure at Wilkes and Artis. Therefore, it was concluded that Mr. Robbins had not accepted private employment in a matter in which he had substantial responsibility as a public employee. Further, in response to the Parties in Opposition's objection to the roles of Messrs. Gilbert and Mendelson, it was determined that as government employees they were responsible only for matters other than the issues before the Mayor's Agent at this hearing. The present roles of Messrs. Gilbert and Mendelson as employee and consultant respectively did not have a substantial impact on the subject issues. It was concluded that their activities did not give even an appearance of impropriety and that they should not have been precluded from any participation in this case, whatever it may have been. In conclusion, neither participation by the law firm of Wilkes and Artis nor Messrs. Gilbert and Mendelson was barred from this hearing on the grounds of conflict of interest.

(2) The Applicant stated that the Parties' in Opposition submission does not comply with Section 3.4 of the Rules to qualify them as Parties because: (a) the submission was not filed ten working days prior to the date set for the hearing; and (b) there was no written statement setting forth the manner in which they were affected or aggrieved by action upon the application and the grounds upon which the application was supported or opposed.

The Parties in Opposition by letter of June 11, 1981, indicated that they would appear through legal counsel, Arnold and Porter. It was determined by the hearing officer that the submission was made more than ten working days prior to the date set for the hearing. Then by letter dated June 23, 1981 the Parties indicated the interests of the Parties and the grounds upon which they oppose the application. Although all information requested of the Parties in Section 3.4 of the Rules was filed not less than ten working days prior to the date set for the hearing, the hearing officer, pursuant to Section 1.7 of the Rules, accepted the submission as adequate and accepted the organizations listed in the letters dated June 11, and June 23, 1981 filed by Arnold and Porter as Parties in Opposition in this proceeding.

(3) In a letter dated June 23, 1981, legal counsel, Wilkes and Artis, on behalf of the Applicant requested a list of the witnesses to appear on behalf of the Parties in Opposition. The Applicant stated that such information is absolutely essential in order to accord due process to the parties and to give the Applicant fair notice of the issues pursuant to the D.C. Administrative Procedures Act and the Rules.

The hearing officer ruled that the Applicant, in accordance with Section 3.3 of the Rules must submit in all cases a list of witnesses who are prepared to testify on his behalf but neither the Act nor the Rules require a witness list from the Parties in Opposition (see Section 3.4 of the Rules). Therefore, such a list was not requested by the hearing officer. However, the Parties in Opposition stated that they would provide the names of their witnesses at least twenty four hours before their appearance at the hearing. (Exhibit Nos. 11, 12, 13, 14 and 21)

12. The Applicant, Georgetown Harbor Associates, Inc., proposes to construct a mixed use development project on the Georgetown Waterfront totaling 738,000 square feet including 306,000 square feet of office development, 150,000 square feet of retail, 236,000 square feet of residential space and 46,000 square feet of miscellaneous spaces such as ramps loading docks, etc. Underground parking will be provided

for 700 cars in 335,544 square feet (4 levels below grade). The centerpiece of the project is an elliptical boat basin flanked on the riverside by a promenade with structures formed around the basin in a colonnade design. The proposed building footprint will cover 3.5 acres, leaving a net of 2.75 acres of open space and park area within the proposed project which will be accessible to the public. The Applicant indicates that it will provide appropriate easements to assure public access in perpetuity to the shorefronts of the Potomac River and Rock Creek within the private holdings.

The site is located on the Georgetown Waterfront between Rock Creek and 31st Street, N.W. between K Street and the Potomac River. The development will be in two phases. Phase I for which this permit is being sought totals about 5 acres of the 6.25 acres of privately owned land. The Phase I portion is located between 30th Street, N.W. and 31st Street, N.W. Phase II involves a mixed use proposal on the remaining 1¼ acres between Rock Creek and 30th Street, N.W. It should be clear that Phase II is not the subject of this hearing. The site is located at a bend in the Potomac River, across from the Theodore Roosevelt Island and upstream from the Kennedy Center and Watergate Complex. The Whitehurst Freeway borders the site to the north running over K Street on an elevated structure. (Exhibit Nos. 30, 32, 69, 71, 72, 73 and 74)

3. Georgetown began as a port and by the mid 1700's it was the largest tobacco port in North America. In the early 1800's the Chesapeake and Ohio Canal was constructed, expanding commerical activity in the area. Eventually, grain, coal, iron and other goods replaced tobacco as the primary staples of the port. To handle this activity a number of warehouses, mills, and other commercial buildings were constructed in the early to middle years of the Nineteenth Century largely near the Potomac which served as a means of transporting such products up and down the River.

The present M Street provides a convenient physical delineation in the two areas that compose Georgetown: a residential area to the north and an industrial area to the south. Above M Street are two, three and four story rowhouses that face the street. There are some freestanding structures. There is a variety of architectural styles although Victorian styles predominate. There is a wealth of architectural details including projecting oriels, turrets, sculptured moldings, dormers, corbelled brick cornices, segmental arches, and scrolled modillions supporting denticulated cornices, and a rich variety of roof levels and parapet treatments. The building material is brick with stone used in detailing.

In the industrial area the height of the buildings varies from 20 to 90 feet. While there are some two story rowhouses, most of the structures are large industrial structures, both attached and freestanding. Examples of surviving industrial structures are the Dodge Warehouse, the Paper Mill and the Bomford Flour Mill. As in the residential area, red brick is the predominate building material. However,the structures in the industrial area differ from those in the residential area by their simplicity of design and their noticeable lack of detailing. Detailing on these buildings is usually limited to segmented arches over windows and corbelled cornices. The north - south streets are an extension of the narrow grid streets of the residential section. K Street is the widest in this area.

In brief, the character of Georgetown can be described as both Nineteenth Century residential and industrial in nature. In the residential area the structures are largely two to four story Nineteenth Century rowhouses, usually of Victorian design. They are typified by a rich variety of detailing, setbacks, and varying rooflines. The industrial area is typified by larger, simpler industrial structures of Nineteenth Century construction with a few blocks of rowhouses. (Exhibits Nos. 30, 47, 48 and 71)

4. Section 3(d) of D.C. Law 2-144 defines "design" as exterior architectural features including height, appearance, texture, color and nature of materials.

The record shows that the design features of the Georgetown Historic District can be described as follows:

A. Height: 20 feet to 90 feet

B. Appearance: There are two functionally as well as physically different areas within the historic district. In the residential area north of M Street and Wisconsin Avenue there are a variety of rooflines and setbacks with mansard roofs, dormers, bays and balconies as common architectural features. Some of the buildings in this area have been converted to commercial use, principally along Wisconsin and M Streets. The buildings in this area meet the streets creating a solid, rhythmic building mass with occasional breaks in the facade that often mark the alleys. The mid and late Nineteenth Century facades have projecting bays, turrets and oriel windows.

In the industrial area are larger freestanding industrial buildings such as mills and warehouses. The

facades have fewer ornamental details with less variety in the industrial area than in the residential area. While some of the buildings are attached to rowhouse groups and extend to the street lines, a number of others are freestanding and placed further from the streets though still oriented toward the street. Because buildings are larger, rooflines and facades are more regular in the industrial area than in the residential area.

C. Texture: Patterns are created through the articulation of brickwork and stonework on the facade and at the cornice, but patterns are more prevalent and richer in the residential area.

D. Color: Brown to red shades of brick and a variety of colors painted over red brick.

E. Materials: Brick with stone used for detailing. (Exhibit Nos. 30, 47, 48, 53 and 71)

5. The elements of the project proposed by the Applicant are as follows:

A. Height: The proposed design is 90 feet high at the penthouse and 67 feet high at its cornice line.

B. Texture, Color and Nature of Materials: The proposed facade is of a range of brown to red brick. The facade treatment is of a variety for brick and stone arches, bays and continuous openings. The windows appear to be of a dark brown glass

C. Appearance: The facade contains various elements. The placement of bays, turrets, arches and several window shapes create a broken wall surface except on the K Street facade.

The corners are rounded and topped by domes.

The waterfront facade is curved, and includes a water inlet on the Thomas Jefferson Street axis.

The extension of the various streets within the project are pedestrian walkways. Because open spaces are provided between buildings the proposed project utilizes only 60% of the site.

The proposed design presents a continuous wall along K Street with gradually changing cornice height. This pattern recurs along the project boundaries. (Exhibit Nos. 30, 69, 71, 72 and 73)

The subject site is presently split zoned W3 and W2. The combined permitted floor area ratio for the site would be 5.46 and the gross floor area permitted under the applicable zoning would be approximately 1,200,000 square feet. Building heights up to 90 feet are permitted in the W3 zone and 60 feet in the W2 zone. The permitted percentage of lot occupancy under the applicable zoning is 75 percent.

The W2 and W3 zones were enacted for this portion of the waterfront area by the Zoning Commission in 1974, well after the establishment of the Georgetown Historic District. These zones represent a substantial down zoning from the previous height and bulk regulations pertaining to the waterfront. The record indicates the reasoning behind creation of these zones.

The proposed structure is approximately 60 percent of the permitted zoning envelope and has an FAR of approximately 3.4 and an actual gross floor area of approximately 738,000 square feet. The proposed design ranges in height from 40 to 57 feet in the W2 portion of the site and from 20 to 67 feet in the W3 portion of the site. And the actual lot occupancy of the proposed project is 53 percent. Therefore, the Mayor's Agent finds that the project proposed by the Applicant is of a height, bulk and density lower than that permitted under the zoning laws and regulations for this area. (Exhibit Nos. 22, 23, 24 and 73)

James O. Gibson, Assistant City Administrator for Planning and Development testified on behalf of the District Government. Gibson stated that the District Government has multiple interests on the Georgetown Waterfront, including indications by the Mayor of a strong personal interest in a total park on the site. He continued that the city government has analyzed the proposed project from numerous perspectives which are not legally pertinent to this proceeding. He concluded based on Corporation Counsel's interpretation of Section 8 of D.C. Law 2-144 that the issue is not whether another development or uses other than those currently proposed by the Applicant are preferable nor whether this project is the best possible for the Georgetown Waterfront. Therefore, his statement was limited to a discussion of the character of the Georgetown Historic District and the issue of compatibility of the design of the proposed new construction.

In characterizing the Georgetown Waterfront today, Gibson stated that it is approximately 18 acres of land along the

Potomac River from Rock Creek to Key Bridge, and that the District of Columbia owns approximately 12 of the 18 acres. Currently the District's land provides temporary municipal uses for an automobile impoundment lot, trash truck parking and a salt pile. The remaining acreage is privately owned and in a very low density industrial use. Gibson also indicated that the city government has begun action leading to the transfer of the 12 acres it owns to the National Park Service for the creation of a national park. A task force composed of city government agencies, the National Capital Planning Commission and the National Park Service has been formed to identify and initiate the necessary steps for this transfer.

In describing the historical development of Georgetown from 1673 to the present, Gibson indicated that the history of Georgetown and its waterfront are inextricably linked. He described Georgetown as a community that arose in response to the role of its waterfront (port); a community that has a history of vigorous industrial, retail and residential uses; and a community that has a history of growth and cycles of change to meet the demands of its time. He further stated that the history of the Georgetown Waterfront has been a history of mixed use.

Gibson stated that the appearance of the project is like Georgetown, unique and exciting. In scale and in the location of different functions he concluded that the project is eclectic like the rest of Georgetown - narrow, shop-lined streets with residences above; bay windows, turrets, towers, arches and stairs which add relief and articulation in the language common to the fenestration and building exteriors of Georgetown. (Exhibit No. 37)

3. J. Carter Brown, Chairman, Commission of Fine Arts testified that the CFA has advised against the issuance of a permit for Georgetown Harbor Associates' project at 3020 K Street, N.W., because they decided that a project of this size and mass, located directly on the Georgetown Waterfront would be incompatible with the historic district. Mr. Brown further testified that the disapproval was not based on the quality of the architectural design, but their feeling that even a well designed building on the wrong site must be considered unacceptable. The Commission felt strongly that this land should be developed in a manner consistent with open recreation use and compatible in character with adjoining public park lands to the east and south of the site. Facilities such as restaurants, boat houses, marinas and refreshment kiosks would be acceptable. The CFA envisioned for this site a lively attractive place for people, with its own distinctive character setting it apart from other parks. The Commission concluded that this concept would not be supported by the project proposed by Georgetown Harbor Associates.

With regards to open space, the CFA referred to the developers' statement that "fifteen acres of parkland" would be made available to the public if his three acres of development were allowed. However, it was stated that much of the land is, in fact, not privately owned but already in the public domain, and at no point in the Commission's records is there a commitment by the developer to absorb the cost of relocating current District uses of land immediately west of 31st Street, costs that would have to be met by the expenditure of public funds. Therefore, the Commission felt that the developer's statement (within the CFA record) is misleading. Further, the CFA concluded that although the developer had offered to landscape some of the property; it would be to the developer's financial benefit and actually necessary to provide a setting for this proposed development.

Another issue addressed by the CFA was whether a project of this size should be built on the Potomac floodplain. It was stated that the question of the compatibility of the project with the river's floodplain is outside the technical expertise of the Commission. However, after seeking advice of the Department of Justice, the Commission found that it is bound by Executive Order No. 11988, dealing with floodplain management and the responsibilities of Federal agencies in this area. Therefore, this issue was addressed at the Commission's March 10 and April 7, 1981 hearings. After study, whether the project should be permitted in the Potomac floodplain, was not a determinative consideration for the Commission. The CFA does recommend, however, that the District Government to the extent permitted by law give the floodplain issue serious consideration.

J. Carter Brown emphasized that CFA's position - that this land should be developed as recreational space compatible with the open park setting of other lands adjoining, the Potomac River - has not changed since the Applicant's proposals have come before it. He stated that CFA's purpose in continuing to comment on the actual design was that in the event there would be a decision to allow for construction of this project, at least the quality of the architecture would be the best possible under the circumstances. Brown stressed that it should not be construed that CFA was giving its tacit approval to the project by agreeing to carry forward the process of design review.

The complete record of the Commission's proceedings on this project is in evidence of this hearing. It is clear that CFA's principal objection to the Georgetown Harbor Associates' proposal and the basis of their recommendation to deny the subject building permit has been and remains the project's density and mass which they consider incompatible with historic Georgetown and its waterfront. (Exhibit Nos. 2, 26, 38 and 94)

ANC 3A, the affected Advisory Neighborhood Commission was one of the organizations which formed the Parties in Opposition, therefore, its testimony was not taken separately. Its concerns are addressed in the findings which relate to the Party in Opposition.

Within the record are statements from other ANCs from around the city, their testimony is reflected within the findings related to the persons in support and persons in opposition to the Application.

The Parties in Opposition argued that the project's design differs from and conflicts with the character of the Old Georgetown Historic District in several ways. First, they argued that the project is out of scale with the historic district and that the bulk of the project is completly different from anything that has been there previously. They stated that by contrast with the moderate sized - commerical and industrial buildings and human scale residences which characterize the historic district, the project is enormous. Further, they concluded that its mass, 738,000 square feet of above ground floor space, would dwarf nearby historic structures, such as the Dodge Warehouse, Duvall Foundry and Bomford Flour Mill, as well as the two story rowhouses within the historic district (particularly those below M Street). According to the Parties in Opposition the project's isolation on a unique and prominent site as well as the height of the project at the north facade (which faces the rest of Georgetown) would further emphasize its density and scale and highlight the project's excessive character in comparison to Georgetown's two to four story historic profile.

Second, the Parties in Opposition argued that the style of the facades conflicts sharply with the historic architectural styles, and especially with the historic architecture of Georgetown's Waterfront area. They found that the project's design contrasts sharply with the waterfront's sober, unembellished, volumetric historic structures. The Parties in Opposition concluded that while the design incorporates features of some of the elements of Georgetown's residential architecture, the overall appearance of the project is not characteristic of Georgetown because the features have been juxtaposed and expanded in scale.

Third, the Parties in Opposition argued that several of the project's individual elements conflict with Georgetown's character. They argue that the elliptical basin and the elliptical facade that embraces it lack any significant Georgetown precedent. They state that most of Georgetown's

buildings are rectangular and no other Georgetown building has a large elliptical facade. Thus, they concluded that these elements are more reminiscent of the architecture of the Federal Triangle than of Georgetown. Other examples of incompatible design elements given were arches which are larger than any in Georgetown and a fenestration which uses ribbon or strip windows.

Fourth, they stated that the project, especially the blank wall of the north facade, creates a massive barrier which would essentially sever the historic link between Georgetown and the Potomac. The Parties in Opposition feel that the project would virtually eliminate Georgetown's view of this beautiful bend in the Potomac River and would impede public access to the River, particularly because the north facade discourages passersby to stroll through this private development to the river. Further they stated that the proposed uses, including the boat basin with its uncertain access to the river, would not facilitate public use of the riverfront. They felt that apart from the project's tenants and owners, very few people will derive any benefit from the project's housing and offices since those uses do not offer opportunities for public enjoyment. This was based on their opinion that much of the project's retail space is designed primarily for the use of the occupants of the offices and condominiums. Therefore, they concluded that what was historically a public waterfront will take on a distinctively private character. (Exhibit Nos. 12, 53 and 57)

. The persons in support of the application, and persons in opposition to the application as well as the Applicant and Parties in Opposition raised many non-design issues which were not germane to the issue of incompatibility of the design with the historic district before the Mayor's Agent in this case. These issues included the floodplain, the Whitehurst Freeway, the boatbasin/boatlift, preference for park and the economic benefit of the proposed project to the city. Due to the importance given to these issues by the Applicant, Parties in Opposition and Persons both in support and opposition to the application, the following findings are made on the issues. However, the Mayor's Agent finds that these issues (Findings 23 - 26) are not adverse in the context of this hearing in which the sole issue is whether the design of the building proposed by the Applicant and the character of the historic district are incompatible.

. The issue of the incompatibility of building the proposed mixed use complex on property which is located in a 100 year flood plain was raised and addressed in the CFA's proceedings on this project and was discussed in this case before the Mayor's Agent. See Finding 19 for the context of the issue in the CFA proceeding and their disposition of the matter.

It was argued that the history of flooding in this area is clear and adds to the many reasons why the proposed development would be incompatible with the character of the historic district. The Parties and persons in opposition stated that the approval of a permit for this new construction would be inappropriate until the flooding question is fully analyzed and the City Council has been given an opportunity to legislate any necessary zoning and/or building code changes. They felt that the risks to human safety and health caused by natural disasters such as floods must be considered in the granting of a building permit because in the final analysis, the city and its citizens would pay for the emergency actions and disaster relief. Although the project has water control and hydrology design features (wall treatments, floodgates, a special drawbridge from the rooftop to the Whitehurst Freeway, etc.), the Parties and persons in opposition concluded that this demonstrated that flood hazard is obviously not an idle threat and that the developer's assertion that he intends to flood proof the complex creates a false sense of security. However, the Mayor's Agent finds that the Applicant has given due consideration to the flooding issue. (Exhibit Nos. 2, 59, 62, 69, 70, 81 and 89)

3. Considerable testimony was given about the future status of the Whitehurst Freeway. James O. Gibson, Assistant City Administrator for Planning and Development stated that there are continuing discussions about the feasibility and implications of dismantling the Whitehurst Freeway. However, he indicated that there are no proposals for elimination of the Whitehurst Freeway. Because there are no concrete plans for the Freeway, the hearing officer finds that it would be inappropriate to consider the impact of Freeway alterations on the design of this project.

4. One of the elements of the proposed design is a boat basin for small craft. Some persons, including the CFA and Parties in Opposition, felt that what has developed in this design is a decorative pool with no connection to the river rather than a boat basin which serves at least as a symbolic link with the past when the waterfront was an active port.

Testimony suggested that a substantial change in the compatibility of the proposed design would result if the Corps of Engineers fails to issue a permit to allow inflow of water from the Potomac River into the proposed boat basin. According to the Applicant the proposed boat basin will require an opening in the seawall in front of the project. It was further indicated that the opening has been discussed with the Army Corps of Engineers and as a result of such discussions, consultants to the developer have advised that the

basin is entirely feasible. The Applicant stated that formal permits for this purpose would be requested once a building permit is granted. The architect for the project indicated that if the Corps of Engineers fails to issue a permit the design would remain unchanged with the exception of an opening being eliminated from the seawall. The Mayor's Agent finds that the Parties in Opposition have failed to prove that any substantial change in the design from elimination of the boat basin would effect the compatibility of the proposed project with the historic district if the Corps of Engineers permit is not issued. (Exhibit Nos. 2, 66 and 69)

. The CFA, Mayor, Parties in Opposition and most persons in opposition to this project indicated a strong preference for all of the Georgetown Waterfront to be devoted to public park under the jurisdiction of the National Park Service. In expressing this preference they opposed development of any of the land for commerical and residential use. This group cites urgent needs for an urban waterfront park that would provide close-to-home recreation for residents of the National Capital Area, as well as for visitors. Gibson's testimony indicated that the outcome of discussions between the District Government and the U.S. Department of Interior was that the purchase of private land for park purposes on the waterfront is not a feasible option because the price is beyond their present capacity to pay. Further, he stated that there are government efforts to transfer the 12 acres owned by the District Government to the National Park Service for the creation of a national park. Regardless of such preferences for and efforts to provide a park, the Mayor's Agent finds that the Parties in Opposition and others testifying on this issue have failed to prove the relevance of the issue to whether or not the proposed project is compatible with the historic district. (Exhibit Nos. 55, 56, 58, 59, 60, 75, 76, 78, 80 and 81)

. Most persons in support of the proposed project cited as their primary reason the fact that this project would convert an area of urban blight into a source of tax revenue and jobs for the city and its residents. Although it is estimated that this project would create some 1400 jobs and more than 8.5 million dollars in tax revenues, the Mayor's Agent finds that economic benefit to the city is not a factor in a case brought under the new construction provisions of D.C. Law 2-144. (Exhibit Nos. 39, 40, 41, 44, 91, 93, 97 and 98)

. The Parties in Opposition as well as many persons in opposition to this project raised concerns about the serious

traffic situation in the Georgetown area and specifically the traffic to be generated from the proposed development for the Georgetown Waterfront.

Those in opposition felt that the addition of traffic generated by the Georgetown Waterfront project would only aggravate an already critical situation. They stated that the new traffic which would be generated by this project would overburden already crowded streets and sometimes result in gridlock. They maintained that when main arteries become crowded, traffic will look for alternative routes through the historic district causing noise, pollution, and congestion on the district's narrow residential streets. Those in opposition also disagreed with the methodology used by the Applicant in their assessment of motor vehicle traffic and parking requirements on the waterfront.

According to the Applicant, the Georgetown street pattern will run through the project including a new extension of Thomas Jefferson Street going south to the boat basin on private lands. They also maintained that Virginia Avenue will be extended through the project. Except for necessary access to the project for service and emergency vehicles, the street system within the project will be for pedestrians exclusively. A foot bridge will be erected over Rock Creek at the developer's expense to provide a pedestrian link to the Foggy Bottom Metrorail Station. Passenger car access to the development will be limited to the underground garage.

Gorove/Slade Associates, Inc. initiated an ongoing assessment of motor vehicle traffic and parking requirements of the waterfront development in 1979. The purpose of this assessment was two-fold: (1) to assess the site access and the project design to insure that adequate provisions for traffic and parking will exist for the benefit and success of the project; and (2) to identify and quantify changes in traffic conditions which will occur in Georgetown as a result of the project to help the public agencies evaluate its impacts. In a 1981 Summary of Findings, Gorove/Slade Associates, Inc. concluded the following:

1. The lower Georgetown area south of M Street is highly accessible by motor vehicle and Metrorail and, in the future, by Metrobus service.

2. This area has abundant off-street parking which currently is underutilized. The considerable distance of the waterfront project from the residential areas of upper Georgetown insures that waterfront patrons will not encroach upon residential parking spaces in upper Georgetown.

3. The waterfront project will provide more parking spaces than required by zoning and by its own needs. A total of 700 full size spaces, well in excess of the number required by D.C. zoning, will be provided within the structure. A total of 8 truck loading dock spaces, the number required by the code, will be provided as well.

4. The waterfront project will generate 300 additional peak hour vehicle trips above those currently generated by land uses on the waterfront. The impacts of this traffic will not be significant on K Street or on the remainder of the Georgetown streets. K Street has more than adequate reserve capacity, and traffic volumes on other Georgetown streets will be dispersed among several routes.

Regardless of the findings of the Applicant's traffic assessment, the Parties and persons in opposition felt that developments such as the proposed project are the cause of major traffic congestion which diminishes the attractiveness of the Old Georgetown Historic District as a place to live, work and shop. The Mayor's Agent finds that the record reflects that the Applicant gave due consideration to traffic concerns while designing this project. The Parties in Opposition have not shown that traffic congestion will negatively impact the design of the proposed project and make it incompatible with the historic district. (Exhibit Nos. 55, 67, 69, 70, 85, 86, 88, 95 and 96)

During the hearing the Applicant provided a set of documents which they stated were a record of the proceedings of this case before the Commission of Fine Arts. The Commission, after J. Carter Brown completed his testimony, offered to supply a fully accurate set of documents. The hearing officer indicated that there had been copies of these records entered as an exhibit and to avoid duplication they would be examined and verified at a later date.

By letter of July 17, 1981, Charles Atherton, Secretary, CFA, indicated that their inspection of the record submitted by the Applicant revealed a variance (ommissions, retyping and underlining) from the materials CFA submitted the Applicant. Therefore, Atherton requested in the interest of accuracy and completeness that their documents which constitute the official records of all Commission deliberations regarding HPA No. 81-244 be accepted by the hearing officer as an exhibit.

In response, Counsel for the Applicant by letter dated July 21, 1981 stated the Applicant had no objection to the admission of the Commission's minutes and other materials submitted therewith by Mr. Atherton. Counsel further stated that the transcripts previously supplied by the Applicant were xeroxed from materials supplied to the Applicant by the Commission staff in response to the Applicant's request for full transcripts and that any omissions for inserts were therefore attributable to the parties supplying what purported to be a complete record to the Applicant. Further it was noted that comparision of the two sheets denoted page 29 in the transcript of April 8, 1980, indicates that the retyping was done by the reporter not the Applicant. Both submissions are a part of the record of the proceedings before the Mayor's Agent. The one submitted by the Applicant is Exhibit No. 26 and the one submitted by CFA is Exhibit No. 94. (Exhibit Nos. 26, 94 and 99)

The Parties in Opposition stated the project as designed (including proposed uses) will not attract the public, and thus, what has historically been a public waterfront will become a private enclave. Further the Parties and persons in opposition argued that other land uses are more historically appropriate than this proposed mixed residential, office and retail land use. They specifically recommended park use. According to the evidence presented in this case, at the turn of the century the south side of K Street was occupied largely by warehouses. The edge of the river was lined with docking and goods handling facilities, and industries using bulk materials. The uses surrounding the subject site included a coal yard, gas works, fertilizer plant, manufacturing establishments and retail establishments intermixed with two story rowhouses. From the evidence presented it can be seen that use of the Georgetown Waterfront as a park has no historical precedent. Therefore, the Mayor's Agent finds that the mixed residential, office, retail use proposed for this site is not incompatible with the history and character of the Old Georgetown Historic District. (Exhibit Nos. 30, 37, 47, 48, and 71)

When the elements of the Applicant's proposed design are compared against the design features and character of the Old Georgetown Historic District as stated in the evidence of this case, the Mayor's Agent finds the following:

A. Height: The proposed project's cornice line varies from a minimum height of 20 feet to a maximum height of 67 feet above the pavement. Within the Old George-

town Historic District the heights range from 20 feet to 90 feet. Within the segment of this district where the proposed project will be built, buildings such as the Foundry, Dodge Warehouse, Paper Mill and Bomford Flour Mill have cornice lines which vary from 20 to 90 feet high.

B. Texture, Color and Nature of Materials: The material of the Applicant's proposed project is brick laid in the common bond typical of Georgetown. The project's limestone trim is also common throughout Georgetown and several large buildings south of M Street have rusticated stone bases. The colors of the project will vary from red to brown which is a dominant color range throughout the historic district.

C. Appearance: The Applicant contends that the project is made up of four buildings. But from a review of the evidence, particularly the model, there appear to be two buildings, separated by Thomas Jefferson Street extended. The two buildings each have a continuous roofline, under which the passageways are tunneled.

The architects for the Applicant have broken up the roofline, changed direction and justaposition of adjoining walls and arranged the elements - three dimensional facades, bays, turrets, elliptical windows, segmented windows, mansard roofs, modulated balconies, etc. - of each building to stimulate a group of attached structures. This arrangement is typical of Georgetown building groups generally, although less so of large buildings in the area south of M Street. The industrial buildings of the district generally have simple facades and buildings geometry while the proposed project has design elements more typical of blocks of narrow three and four story rowhouses in the northern portion of the district. Therefore, the appearance of the proposed project has elements in common with buildings from both the adjacent and distant parts of the historic district. The penetration of the existing streets into the proposed project diminishes the overall scale thus making the project compatible with existing smaller structures in the historic district.

The following findings are made regarding land use and site planning. First, the Parties in Opposition argue that the elliptical basin and the elliptical facade do not have significant Georgetown precedents. From the evidence, it cannot be found that either the curved facade or the curved site arrangement conflict

in any serious way with either the historic district as it appeared in earlier times or exists today. Second, The proposed extension of Thomas Jefferson Street will provide an adequate view of the river. The project would, therefore, create no obstruction to these views nor dominate or overshadow the historic district from the south.

Therefore based on the above, the Mayor's Agent finds that the project proposed by the Applicant is not incompatible with the character of the Old Georgetown Historic District. (Exhibit Nos. 12, 30, 32, 47, 48, 53, 57, 69, 71, 72, 73 and 74)

CONCLUSIONS OF LAW:

1. Section 2(a) of the Act states that "....this Act is intended to:

   (1) effect and accomplish the protection, enhancement and perpetuation of improvements and landscape features of landmarks and districts which represent distinctive elements of the City's cultural, social, economic, political and architectural history.

   (2) safeguard the City's historic, aesthetic and cultural heritage, as embodied and reflected in such landmarks and districts..."

   Section 2(b) continues that "It is further declared that the purposes of this Act are:

   (1) with respect to properties in historic districts;...

   (c) to assure the new construction "in an historic district are compatible with the character of the historic district;"

2. Section 8(f) of the Act, states that a new construction permit "shall be issued unless the Mayor, after due consideration of the zoning laws and regulations of the District of Columbia, finds that the design of the building and the character of the historic district or historic landmark are incompatible. Section 3(d) defines "design" as exterior architectural features including height, appearance, texture, color and nature of materials. The burden of proof as to the incompatibility of the design of the proposed new construction and the character of the historic district is on the Party in Opposition.

The Findings of Fact and the record show that due consideration of the zoning laws and regulations have been made in this case.

The Mayor's Agent concludes that the character of the Old Georgetown Historic District as stated in the Findings of Fact is both Nineteenth Century residential and industrial in nature. In the residential area the structures are largely two to four story Nineteenth Century rowhouses, usually of a Victorian design. They are typified by a rich variety of detailing, setbacks and varying rooflines. The industrial area is typified by larger, simpler industrial structures of Nineteenth Century construction with a few blocks of rowhouses.

As stated in the Findings of Fact, the Mayor's Agent concludes that the design of the building and the character of the historic district are not incompatible because: (1) the height of the project and the heights within the historic district are of the same range, 20 to 90 feet high; (2) the texture, color and nature of materials of the project are those that dominate the historic district, red brick with limestone trim and rusticated stone bases; and (3) the arrangement of the project is typical of Georgetown building groups, continuous rooflines, and the appearance of the project has elements in common with buildings from both adjacent and distant parts of the historic district - three dimensional facades, bays, turrets, elliptical windows, segmented windows, mansard roofs, modulated balconies, etc.

RDERED:

ssue new construction permit. The design of the building in the pplication for HPA No. 81-244 and the character of the historic istrict are not incompatible.

Carol B. Thompson
Mayor's Agent

September 11, 1981
Date

THE COMMISSION OF FINE ARTS

ESTABLISHED · BY · CONGRESS · MAY · 17, 1910

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

September 30, 1981

Dear Mr. Reiss:

Since you already have a transcript of the Commission's extensive discussions on September 16, 1981 regarding the south quadrangle designs, I will limit this letter to a brief report on our principal concerns.

In summary, the Commission is pleased with the progress made by the architect. His shift away from an earlier approach that emphasized the connection with the national origins of the Eastern and African pavilions is in the right direction. We believe, however, that he has not gone far enough.

The Commission recommends that he explore a solution more closely related to the castle, the Renwick gates and the Arts and Industries Building, but obviously in a simplified form. Such an approach would be one way to unify the entire complex and provide a stronger recall of our own national architectural heritage, a goal I believe we can all agree is worth pursuing.

We understand that the Smithsonian is planning to carry forward the review process with other agencies based on the current design. We have no particular problem with this but urge that further architectural studies be carried along concurrently.

As you know, the Commission is always happy to review new material in sketch form and will meet with the architect at any time for this purpose.

With all best wishes.

Sincerely yours,

J. Carter Brown
Chairman

Mr. Philip K. Reiss
Director, Office of Design and Construction
Smithsonian Institution
1000 Jefferson Drive, S. W., Room 3230
Washington, D. C. 20560

THE COMMISSION OF FINE ARTS

ESTABLISHED • BY • CONGRESS • MAY • 17, 1910

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

September 24, 1981

MEMORANDUM FOR THE RECORD

FROM: Charles H. Atherton and Donald B. Myer

SUBJECT: Monkey Island, National Zoological Park

At 9 a.m. this morning we met at the Zoo Administration Buildings with Mr. Calise, of Dr. Reed's staff, and his consultant and discussed revisions to the Monkey Island design recommended by the Commission at its September 16, 1981 meeting. The Commission has on two occasions been concerned by the amount of concrete wall surface visible to the back of the exhibit and had recommended additional windows or the use of all-glass in the problem areas. Modifications to the original design had not mitigated the problem in the Commission's view. The meeting was called to analyze the Commission comments and to propose a course of action.

After examination of the site and plans there was agreement that additional studies would be made to lower the concrete wall about 8 feet and top it with a glass screen, similar to that used nearby on the new Great Ape House. It seemed that this would answer the objections of the Commission by diminishing the visible masonry areas and be in the vocabulary of nearby exhibits. George Calise said that it would be possible to place an alternative on the existing contract documents which seem to be out to bid already. We said that we would be willing to review any additional drawings as soon as ready.

Exhibit D

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman

HAROLD BURSON
JOHN S. CHASE
SONDRA G. MYERS
WALTER A. NETSCH
ALAN R. NOVAK
EDWARD D. STONE, JR.

CHARLES H. ATHERTON, Secretary

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006
202-566-1066

September 30, 1981

Dear Dr. Reed:

The Commission appreciated the opportunity for further review of the Monkey Island designs at our September 16, 1981 meeting.

I am sorry that our recommendation to emphasize additional glass area was interpreted as it was. What we were getting at was lessening the visual barrier created by the concrete wall, and making the windows larger really does not achieve this.

I understand that there already has been a meeting between our two staffs, and that the architects will study an all-glass screen mounted on a low concrete wall of uniform height, much in the same manner that works so well on the south side of the new ape house. This sounds like a far better approach, and we look forward to seeing the revised designs whenever they are ready.

With all best wishes,

Sincerely,

J. Carter Brown
Chairman

Dr. Theodore H. Reed
Director
National Zoological Park
Washington, D. C. 20009

97TH CONGRESS
1ST SESSION

H. J. RES. 196

To authorize and direct the Secretary of the Interior, subject to the supervision and approval of the Franklin Delano Roosevelt Memorial Commission, to proceed with the construction of the Franklin Delano Roosevelt Memorial, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 1981

Mr. FISH (for himself and Mr. GREEN) introduced the following joint resolution; which was referred to the Committee on House Administration

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JOINT RESOLUTION

To authorize and direct the Secretary of the Interior, subject to the supervision and approval of the Franklin Delano Roosevelt Memorial Commission, to proceed with the construction of the Franklin Delano Roosevelt Memorial, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed, subject to the supervision and approval of the Franklin Delano Roosevelt Memorial Commission, to construct the Franklin Delano Roosevelt Memorial in accordance with the

general design developed by the Franklin Delano Roosevelt Memorial Commission and approved by the Commission of Fine Arts on March 2, 1978. Such memorial shall be constructed in that portion of West Potomac Park in the District of Columbia which lies between Independence Avenue and the inlet bridge, reserved for the memorial by a joint resolution approved September 1, 1959 (Public Law 86–214).

SEC. 2. The Franklin Delano Roosevelt Memorial shall be operated and maintained by the Secretary of the Interior subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

○

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman

HAROLD BURSON
JOHN S. CHASE
SONDRA G. MYERS
WALTER A. NETSCH
ALAN R. NOVAK
EDWARD D. STONE, JR.

CHARLES H. ATHERTON, Secretary

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006
202-566-1066

September 25, 1981

Dear Mr. Hawkins:

I am happy to report that the Commission of Fine Arts reviewed and approved at its meeting on September 16, 1981, H.R. 196 which would authorize construction of the FDR Memorial.

However, I would like to clarify which design the Commission approved. It is the one considered on September 20, 1979, not March 2, 1978 as stated in the bill. The later design includes no visitor center and would be considerably smaller and less expensive to build, and I am sure this conforms with the FDR Memorial Commission's present intentions.

We would therefore recommend the bill be amended to correct the date prior to its enactment.

With all best wishes,

Sincerely yours,

J. Carter Brown
Chairman

The Honorable
Augustus F. Hawkins
U.S. House of Representatives
Washington, D.C. 20515

Exhibit E-1

THE COMMISSION OF FINE ARTS

ESTABLISHED · BY · CONGRESS · MAY · 17, 1910

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

MEMORANDUM FOR THE RECORD

DATE: September 21, 1981

FROM: Charles H. Atherton

SUBJECT: FDR Memorial - H.J. Res. 196

I called Randy Coleman, of the office of Legislative Reference, this morning and informed him that the Commission had considered OMB's request for a report on H.J. Res. 196. While the Commission had no objection to this legislation, I pointed out an error in the date the Commission had originally approved the design proposed by the FDR Commission, which was the scaled-down version approved September 20, 1979 and not the design approved on March 2, 1978 as printed in the bill.

He said he would bring the error to the attention of the Committee that will hold hearings and that no additional report in writing would be necessary from us.

EXHIBIT E-2

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman

HAROLD BURSON — WALTER A. NETSCH
JOHN S. CHASE — ALAN R. NOVAK
SONDRA G. MYERS — EDWARD D. STONE, JR.

CHARLES H. ATHERTON, Secretary

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006
202-566-1066

December 7, 1981

Mac -

Dear Senator Mathias:

I regret that because of a conflict of schedule, neither I nor the Secretary of the Commission, Charles Atherton, will be able to attend the December 8, 1981 hearing on S.J. Res. 95, authorizing construction of the Franklin Delano Roosevelt Memorial.

The Commission of Fine Arts reviewed a similar bill, H.R. 196, at its meeting on September 25, 1981, and approved the legislation. A copy of the Commission's letter to Congressman Hawkins is attached.

I might note that I believe both the House and Senate bills are in error in stating that the final design was approved by the Commission of Fine Arts on March 2, 1978. A considerably scaled-down version was submitted by the Franklin Delano Roosevelt Memorial Commission and approved by the Commission of Fine Arts on September 20, 1979. The Commission thought this version was actually an improvement over the 1978 design, and did not think the memorial qualities were in any way diminished.

Inquiries were made to the Office of Legislative Reference regarding the error in dating; a copy of Mr. Atherton's memo is attached.

The Commission supports this design as dignified, appropriate, engaging, and worthy of both the capital city and the memory of a great President.

With all best wishes,

Sincerely,

J. Carter Brown
Chairman

The Honorable
Charles McC. Mathias, Jr.
United States Senate
Washington, D. C. 20510

Exhibit E-3

THE COMMISSION OF FINE ARTS

ESTABLISHED · BY · CONGRESS · MAY · 17, 1910

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

September 30, 1981

Dear Jack:

The Commission was glad to see the plans for the site work around the Washington Monument at its meeting on September 16, 1981. Some of the existing paths and the north parking lot are unsightly, and anything that can be done to improve their appearance will be appropriate, especially at this time since the two hundred and fiftieth anniversary of Washington's birth will be celebrated next year.

We recommend that the two parallel paths toward Seventeenth Street and the two diagonals to the east be done concurrently if funds permit. These changes alone should add up to a significant improvement, when viewed from the top of the monument. The color of the surface should be similar to the gravel paths on the east of Fourteenth Street. In any event the Commission strongly recommends against any exposed asphalt or black top as a finish material. We would like to see material samples and other details before work proceeds.

As to the many other changes that are being contemplated, the Commission would like to withhold any specific recommendation. We did not have the time to give them the study and attention they deserve.

As a general impression, however, it might be useful to say at this point that all of us on the Commission appear to favor the open spaces around the monument as they are and not the introduction of additional planting. There is a sense of informality in the present setting that acts as an effective foil to the rest of the geometry and tightly controlled vistas to both the east and west of the monument.

The same can be said of the present curved alignment of Fifteenth Street which does not make much sense in plan but is in fact quite attractive. However, we are not in a position to have any final opinion on the question since we realize that other factors have to be considered.

I would like to suggest that we plan a more extensive visit to the site at one of our future meetings and take up some of the additional proposals in greater detail. By then the members of the Commission will

Exhibit F

have had the time to familiarize themselves with the material presented in the excellent books you sent us following the meeting.

With all best wishes,

Sincerely,

J. Carter Brown
Chairman

Mr. Manus J. Fish, Director
National Park Service,
National Capital Region
1100 Ohio Drive, S.W.
Washington, D. C. 20242

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman

HAROLD BURSON
JOHN S. CHASE
SONDRA G. MYERS
WALTER A. NETSCH
ALAN R. NOVAK
EDWARD D. STONE, JR.

CHARLES H. ATHERTON, Secretary

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006
202-566-1066

September 30, 1981

Dear Rex:

The Commission appreciated the opportunity to review plans for the proposed security facilities at gate B-12 at our meeting on September 16, 1981. Ron Dixon's presentation was thorough and very helpful.

I should say, first of all, that the Commission recognizes the immediate need to provide better space for this operation than the present location within the porte-cochere on the east wing. The principal question in our view is whether it should be installed in a separate outbuilding near the visitors' gate or incorporated within existing elements in the east wing.

The latter would be strongly preferred from the esthetic point of view. In addition to not cluttering up the entrance with an additional building, it would also be far less costly than building a new structure. It also would seem preferable from a symbolic point of view to put such an operation away from the immediate public view and preserve the dignity of entering the White House.

We strongly urge that further studies be made to see if there is any interior space in the east wing that might be suitable. It may mean the displacement of one or two offices and some temporary inconvenience to the staff, but it would be much better in the long run than to alter permanently the exterior grounds, especially at a major public entrance.

With all best wishes,

Sincerely yours,

J. Carter Brown
Chairman

Mr. Rex W. Scouten
Chief Usher
The White House
Washington, D. C. 20500

Exhibit G

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman

HAROLD BURSON
JOHN S. CHASE
SONDRA O. MYERS
WALTER A. NETSCH
ALAN R. NOVAK
EDWARD D. STONE, JR.

CHARLES H. ATHERTON, Secretary

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006
202-566-1066

September 30, 1981

Dear Mr. Lose:

The Commission had the pleasure at its September 16, 1981 meeting to view the plans for the construction of a new filling station at Bolling/Anacostia and plans for improved access at Building 200 at the Washington Navy Yard.

The Commission approved the design and location of the filling station planned for Bolling.

They also felt that the four additional stairways proposed for Building 200 were a logical response to the problem of limited egress. The Commission did, however, recognize the problem of joining the new materials to the old and advised Mr. Scalessa to give extra consideration to those intersections.

With all best wishes,

Sincerely yours,

J. Carter Brown
Chairman

Mr. R. C. Lose
Department of the Navy
Chesapeake Division
Naval Facilities Engineering Command
Building 212, Washington Navy Yard
Washington, D. C. 20374

Exhibit H

THE COMMISSION OF FINE ARTS

ESTABLISHED · BY · CONGRESS · MAY · 17, 1910

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

September 30, 1981

Dear Mr. Downs:

The Commission of Fine Arts met with a representative of the Federal Express Mail Service at our meeting on September 16, 1981 and discussed a proposal which would allow them to install their own mailboxes in public space.

The Commission is very much opposed to this idea.

First of all, Federal Express is only one of several such companies instituting private mail pickup service, so if they were granted permission to use public space, others would have to be allowed the same privileges. In all probability there would be clusters of mailboxes obstructing the sidewalks in no time at all. It would be compounding a bad situation that already has resulted from allowing the uncontrolled placement of newspaper vending machines. Instead of considering additional uses of public space, we have reached a point where we ought to be cutting back. Lobbies of office buildings should provide ample opportunities.

I know you personally respect the unique qualities of Washington's streets and sidewalks, and I hope you can successfully resist any pressures to make further inroads on this valuable asset of Washington.

Please let me know if there is anything we can do to assist.

Sincerely yours,

J. Carter Brown
Chairman

Mr. Thomas Downs
Director
D. C. Department of Transportation
415 12th Street, N. W., Room 508
Washington, D. C. 20004

Exhibit I

SMITHSONIAN INSTITUTION
FREER GALLERY OF ART
Cable: FREER, Washington, D. C. WASHINGTON, D. C., 20560 Telephone: (202) 357-2104

23 September 1981

EXHIBIT J

Mr. Charles Atherton
The Commission of Fine Arts
708 Jackson Place, N. W.
Washington, D. C. 20006

Dear Charles:

Carter came to the Freer this morning and reviewed the objects we are planning to acquire for the collection. He agreed with the opinion of the other members of the Commission, so we are now ready to proceed.

Once again, may I say how much I appreciate your support during the visits of the Commission.

Enclosed is the statement with Carter's signature.

Sincerely,

Thomas Lawton,
Director

One Enclosure

SMITHSONIAN INSTITUTION
FREER GALLERY OF ART
Cable: FREER, Washington, D. C. WASHINGTON, D. C., 20560 Telephone: (202) 357-2104

The Regents of the Smithsonian Institution and the Commission of Fine Arts, as provided in paragraph 4 of the Codicil to the Will of the late Charles L. Freer, have examined the following objects:

Purchases for the Collection:

1 Chinese painting; Ch'ing dynasty; by Hua Yen (1682-1758); portrait of T'ang Yin; hanging scroll; ink and slight color on paper.

1 Japanese painting; Edo period; by Nanko (1759-1839); landscape with calligraphy; hanging scroll; ink and slight color on paper.

1 Japanese painting; Edo period; by Kano Seisen-in Osanobu (1796-1846); portrait of So'o (Confucius); hanging scroll; colors on paper.

1 Japanese painting; Edo period; by Yoshimura Kokei (1769-1836); autumn plants; hanging scroll; ink, color and gold on paper.

1 Japanese calligraphy; Edo period; by Tanabe Genten (1794-1858); early 19th century; hanging scroll; ink on paper.

1 Turkish bronze; Tabriz or Istanbul, c. A.D. 1300; candlestick; decorated with signs of the Zodiac.

1 Persian textile; Safavid, 16th century; prisoner motif.

1 Persian pottery; Kashan; dated A.D. 1210; lusterware bowl decorated with dragons.

Gifts to the Collection:

1 Korean pottery; Yi dynasty, 1392-1910; celadon vase.

1 Chinese pottery; Ch'ing dynasty, Tao-kuang period (1821-1850); sang-de-boeuf vase with wooden stand.

3 September 1981 s/ J. Carter Brown
For the Commission of Fine Arts

6 September 1981 S. Dillon Ripley
For the Regents of the Smithsonian Institution